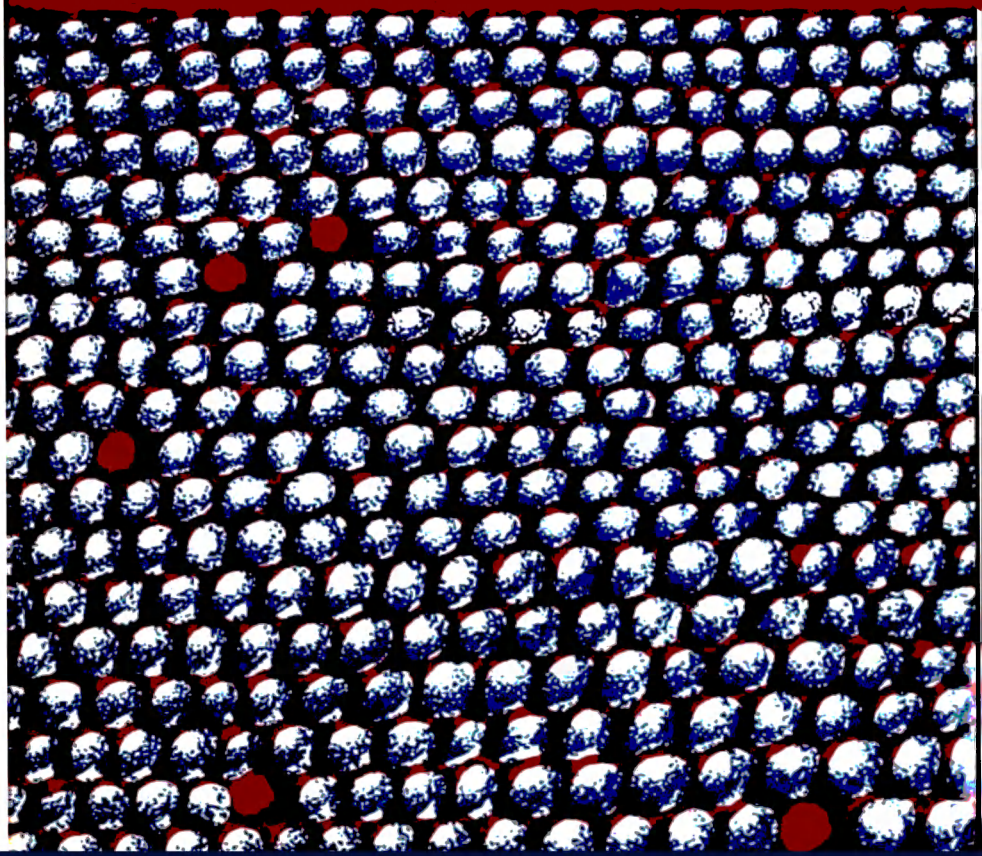
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G. AVANESOV

THE PRINCIPLES OF CRIMINOLOGY





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PROGRESS PUBLISHERS
MOSCOW

Translated from the Russian
Designed by *Yuri Luther*

Г. А. АВАНЕСОВ

ОСНОВЫ КРИМИНОЛОГИИ

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PREFACE

At the dawn of the revolutionary workers' movement in Russia V. I. Lenin, speaking about socialism as the aim of this movement, said that it would be a society free from the exploitation of man by man, which would make it possible to ensure "*full* well-being and free, *all-round* development for *all* the members of society".[1]

At all stages of the struggle for the victory of the new social system the Communist Party has never lost sight of this, its main aim, and has done everything necessary to attain it.

The developed socialist society about which Lenin was speaking has now been built in the USSR, the economic potential of the Soviet Union has increased fantastically, the material well-being and culture of the working people has risen and is continuing to rise, and their intellectual requirements are being met increasingly fully.

The prospect for the future development of the USSR is the construction of a classless, communist society, the banner of which will read: "From each according to his ability, to each according to his needs." In accordance with this prospect, the Constitution of the USSR defines the supreme goal of the Soviet state. It is to ensure the building of a classless, communist society. Hence the main task of the state—to

[1] V. I. Lenin, "Notes on Plekhanov's Second Draft Programme", *Collected Works*, Vol. 6, Progress Publishers, Moscow, 1964, p. 54.

ensure a further steady rise in the material and cultural standards of the people. To this end an impressive comprehensive programme of measures is being carried out in the political, economic, social, legal and other spheres of social life under the leadership of the Communist Party of the Soviet Union, measures designed to accomplish the tasks formulated in the Constitution of the USSR.

Among these tasks an important place is undoubtedly occupied by the further development of Soviet democracy and the consolidation of law and order and socialist legality. Attention to the accomplishing of these tasks and the scale of the forces and resources mobilised for their implementation by the Soviet state are growing from year to year, from one five-year economic and social development plan period to another. The main aims, ways and concrete measures for developing democracy, protecting law and order and civil rights, and ensuring socialist legality are laid down in the CPSU Programme, in the decisions of Party congresses, and in the Constitution of the USSR. All these documents not only affirm the urgency of the afore-mentioned problems, but also stress their close connection with different aspects of life and provide a profound characterisation of their social significance.

The aim of the present book demands that we concentrate our attention primarily on an analysis of the state of law and order and socialist legality in Soviet society.

In accordance with this purpose, it should first be noted that the consolidation of law and order and socialist legality in Soviet society is a matter for the state as a whole. In this connection some major ideological, political, moral, socio-economic and state-law measures have been planned and are being introduced. The maintenance of law and order and the ensuring of socialist legality are regarded by the Communist Party and the Soviet Government as tasks of paramount importance, as objects of constant concern, as a special type of social activity.

This attention of the Communist Party and the Soviet Government to the maintenance of law and order and the ensuring of socialist legality is determined by the objective requirements of social development and is increasing significantly at the stage of mature socialism. When the powerful material, technical and intellectual potential of socialism has been created, the consciousness of the working masses,

their degree of organisation and discipline, their high ideological and moral qualities are becoming an ever more powerful factor of social progress, an important condition of the use of the material and spiritual possibilities in the interests of the development of each individual and of society as a whole.

In their concern for the all-round development of the individual and the rights of citizens, the Soviet state and society are at the same time taking effective measures to strengthen social discipline and ensure that all citizens fulfil their duties to society, for without discipline and a stable social order socialist democracy cannot be realised. It is the responsible approach of each citizen to his duties, to the interests of the people, of society, that creates the only reliable basis for the fullest possible embodiment of the principles of socialist democracy, for the true freedom of the individual. There is a reference to this in the Constitution. It states that each citizen should work conscientiously and observe labour discipline. "The Soviet state and all its bodies function on the basis of socialist law, ensure the maintenance of law and order, and safeguard the interests of society and the rights and freedoms of citizens." To protect society against all manner of infringements, the Constitution says, citizens of the USSR should not only enjoy their rights, but also perform the duties imposed on them by society. Above all, every citizen of the USSR is obliged to respect the rights and lawful interests of other persons, to be uncompromising toward anti-social behaviour, and to help maintain public order. He is obliged to observe Soviet laws and to respect the rules of socialist living.

Strengthening of law and order, ensuring legality, and consolidating civil discipline are the decisive factors of successful communist construction; this is a major socio-political task. It is being solved by the joint efforts of Party organisations, state bodies and the Soviet public.

The developed socialist society is creating more and more new opportunities for the all-round development of man, of each member of society, raising his awareness and discipline, which leads to the strengthening of law and order and the ensuring of socialist legality. This is expressed, first and foremost, in the further rise in the well-being of the working people, the improvement of their working and living conditions, the significant progress of health care,

education and culture—in everything that promotes the formation of the new man, the all-round development of the individual, the improvement of the socialist way of life, and social relations. However, the education of the new man and the formation of his personality are difficult and complex processes. And although the achievements of the Soviet system are indisputable in this respect, one nevertheless still often finds people here with a low level of social consciousness, who do not follow socialist principles and the requirements of socialist morality in practice and who violate the established law and order, the norms of socialist life.

It is therefore essential that the growth in material opportunities should be accompanied by a constant rise in people's ideological, moral and cultural levels, a growth in their consciousness. Otherwise society will be faced with recurrences of philistine, petty-bourgeois psychology. Drawing the attention of the whole Party to this fact, the 25th CPSU Congress stressed: the higher our society rises in its development, the more intolerable deviations from socialist norms of morality become. Money-grubbing, drunkenness, private-ownership tendencies, hooliganism, bureaucracy and indifference to other people run contrary to the essence of our system. In the struggle against such phenomena it is essential to make full use of the opinion of the work collective, criticism in the press, methods of persuasion, and the force of law—all the means at our disposal. These directives of the CPSU determine the main trends of the ideological and educational work to overcome vestiges of the past in people's consciousness, and to assert the principles of communist morality. It must always be borne in mind that anti-social acts do great harm to economic construction and the ideological and moral education of all Soviet citizens.

The organisation of the struggle against anti-social acts is a complex problem. It includes ideological, political, socio-economic, legal, moral, ethical and aesthetic, psychological and other aspects of the activity of society. Therefore success in this complex task can be achieved only when each work collective, each Party, Komsomol and trade union organisation, each head of an enterprise, and all the working people regard the struggle against anti-social acts as their prime civic duty, as one of the means of raising the economic effectiveness of production and the well-being of the people and improving conditions of work and rest, as

a manifestation of concern for people, for future generations. Every Soviet citizen should take an active position in the struggle for the strict observance of Soviet laws and the maintenance of law and order in society.

In the ensuring of law and order special attention is paid to legal institutions of a preventive nature. This is connected with the need to develop a system for the prevention of anti-social, including criminal, behaviour. The abolition of crime, the removal of all the causes and conditions which give rise to it, is an indisputable requirement of the socialist social system.

The course of crime prevention was determined by the CPSU Programme which states: "Higher standards of living and culture, and greater social consciousness of the people, pave the way to the abolition of crime and the ultimate replacement of judicial punishment by measures of public influence and education." The CPSU Programme links the abolition of crime, first and foremost, with the removal of the causes of crime. It states that attention should be directed mainly at crime prevention.[1]

This course has been further developed and substantiated at CPSU congresses and in important Party documents, which have laid down the fundamental directives on the basic questions of crime control and prevention. Prevention of offences is of prime importance in crime control. Therefore, in the USSR alongside the punitive measures provided for by law increasing attention is being paid to the prevention of crime.

Bearing in mind that crime as a social phenomenon is of a rather complex nature and is connected with certain social processes, the Party is devoting attention to the further improvement of state bodies whose job it is to control crime, the activity of public organisations, problems of improving legislation, strengthening law and order, ideological, political and moral education, and developing the political system of society and social relations. It attaches profound social importance to crime control and prevention.

In fact crime control is an organic part of the whole system of social activity aimed at improving the socialist way of life and socialist public discipline. It helps to overcome

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[1] *The Road to Communism*, Progress Publishers, Moscow, 1962, p. 553.

vestiges of the past hostile to socialism and protects society against persons who violate public discipline, persons who violate the legal, moral, and social norms of behaviour.

Crime is a negative and, of course, dangerous phenomenon for society. It is dangerous because it demoralises members of society and does great material and, possibly, even greater moral harm to the interests of society.

The communist society that we are building and crime are objectively incompatible. There can be no complete triumph of communist morality without the elimination of crime as a phenomenon. The process of the abolition of crime is not a quick or smooth one, however. It is impossible to solve the task of eliminating crime by "campaigns", without consideration of the real objective possibilities available to society at each stage of its development. The elimination of crime cannot, therefore, be an instantaneous act. To eliminate such an evil as crime much time and effort is required. It cannot be wiped out with a single blow. Lenin said: "...If we are not to indulge in utopianism, we must not think that having overthrown capitalism people will at once learn to work for society *without any rules of law*. Besides, the abolition of capitalism does not *immediately create* the economic prerequisites for *such* a change."[1]

Consequently, only a society whose citizens possess high ideological, political, moral and other socially useful qualities will be able to abolish crime. They will be distinguished by a high cultural and educational level, rich spiritual needs, and active attitude to life. Their consciousness and behaviour will be fully liberated once and for all from the negative consequences of the past, from the influence of ideology alien to Soviet society. Such a position can only be achieved as a result of the resolute and persistent work of the whole of socialist society. This long-term orientation of our policy in the sphere of crime control is, to use Lenin's expression, "the general plan of our work, of our policy, of our tactics, of our strategy..."[2] The aim of crime control, however, is always to abolish fully this socially dangerous phenomenon. But even the very setting of this aim takes into account the fact that the process of crime control means changing the

[1] V. I. Lenin, "The State and Revolution", *Collected Works*, Vol. 25, 1977, p. 472.

[2] V. I. Lenin, "Better Fewer, But Better", *Collected Works*, Vol. 33, 1966, p. 501.

conditions of crime as a whole, and also of its individual forms. This process is a long one and takes place under the influence of internal and external conditions characterised by definite laws.

Formerly the opinion was sometimes expressed that crime would be abolished very quickly in our society, as if the very advent of socialism would put an end to anti-social phenomena once and for all. In this connection people often denied the need for criminological forecasting, planning, and administration in this sphere, and even for active crime prevention. This was a consequence of the underestimation of crime itself as a complex social phenomenon, and also of the widespread opinion that there are no social roots of crime in socialist society.

The unscientific nature of the voluntarist statements that crime would be abolished in a very short time and that punishment was on the way out and would be replaced by measures of public influence is now clear to everyone.

It is essential for the state to possess objective indices for crime at the present and the possibilities for changing it in the future, because the problem of combating anti-social phenomena remains as before an acute one, insofar as the level of crime cannot yet be regarded as low and the tendency towards a drop in crime is not an entirely stable one. There are still a whole series of factors, causes and conditions that determine the existence of crime. However, these factors, causes and conditions do not stem from the nature of socialism. They are produced by the concrete historical situation in which the new society is being built, by the existence of certain contradictions and difficulties of both a subjective and an objective nature.

At the present stage of the development of Soviet society one of the essential conditions for the gradual abolition of crime is a scientific approach to the organisation of crime control. Today the problem of crime control is no longer seen on the level of the traditional "detecting and suppression of crime". The approach to this problem has changed to a certain extent, first and foremost, due to the need for a scientific solution of it. To deny the important role of science here is essentially to deny the objectivity and complexity of the content of crime, to oversimplify the task of controlling this phenomenon.

For our society the main trend in crime control is the

prevention of offences. The aim of prevention is not to punish people, but to restrain, caution and protect them from committing crime by educating them in a proper way. Here one can see clearly the humanism of the socialist system of crime control. Prevention of offences also aims at strengthening the guarantees of social order, at inculcating in people a deep respect for the laws, legal and moral demands and rules of the socialist way of life. It is undoubtedly the relevance of and pressing social need for a theoretical analysis of the problems of preventing anti-social behaviour that have aroused an active interest in them among the Soviet public, particularly in scientific circles. The results of research on problems of crime prevention have been discussed both in philosophical-sociological and socio-psychological scientific literature and in juridical literature, particularly criminological. Quite a lot has been done in this sphere. Soviet scholars have contributed greatly to the theory of crime prevention and control. However, life is presenting us with new tasks, of both a theoretical and a practical nature.

Obviously such tasks include the writing of a new textbook on the principles of criminology which would sum up all the achievements of Soviet criminology.

We have attempted to write such a book. It has been prepared with due account of new material acquired from studying the theory and practice of criminology and social prevention, and from consultations with scientists and practical workers, specialists in the sphere of criminology and of crime prevention. In addition, use has been made of a wide range of literary sources on other branches of knowledge.

CHAPTER I

CRIMINOLOGY AS A SCIENCE, ITS SUBJECT AND METHOD

1. A GENERAL DESCRIPTION OF CRIMINOLOGY

Can we say that criminology has solved all its problems and, consequently, all that remains is to study the material accumulated by this science to solve practical questions? No, of course not. Criminology is a relatively young, rapidly developing science, in which not everything has been established yet, and a great deal remains to be investigated, proved and amplified. Moreover, criminological research, like scientific research in general, is a constant process of posing and solving new problems. The absence of problems would mean the end of research, a deadlock, a standstill. Therefore, as it develops criminology constantly engenders new problems of both a theoretical and a practical nature. Always, from the posing and precise formulation of a problem to its solution, we are studying something new, learning about it, developing the science and enriching practical experience with new ideas.

By a scientific problem we understand a question to which our existing knowledge cannot provide an answer. A problem is both a special type of knowledge and the search for new knowledge. One must be able to pose scientific problems and solve them correctly. But in order to solve them new knowledge is required, the constant unravelling of the mysteries of nature and the laws of development of society.

For the criminologist and the practical worker engaged in crime control, it is important not only to accumulate the

relevant knowledge, i.e., to amass that which is already known, but also to have a clear idea of new problems—that which is not yet known, has not yet become part of the "arsenal of ideas". The known and the unknown are interconnected, of course.

The posing of a new problem is the birth of a new idea. Sometimes these ideas are not accepted by people for a long time, because they "do not quite understand" them. But one must not forget the fact that, as Dostoyevsky put it, "only well-worn ideas are very understandable". It is essential to realise fully that knowledge is always engendered by the question "why" and that scientific training consists, first and foremost, in developing the ability to ask the relevant questions, i.e., those that lead to real problems.

Thus, a problem is knowledge about our lack of knowledge. It serves to mobilise and organise previously accumulated knowledge in order to obtain new knowledge. It is a form of organising scientific research. It determines the direction of scientific research and acts as its stimulus. Proceeding from this, therefore, it is essential to pose and solve problems in the sphere of consolidating law and order and socialist legality, in controlling and preventing all types of offences. Here there is a vast field of activity for scientific quest, the obtaining and accumulating of new knowledge. We should not be afraid of complex problems: that which seems incomprehensible in science can in fact be comprehended.

A problem is also a form of mental connection between the past, present and future. In the sphere in question, the sphere of criminology and crime prevention, the solution of the relevant problems makes it possible to obtain valuable scientific forecasts connected with the prospects for developing the theory and practice of controlling crime.

A general approach to criminology

In order to examine criminology as an independent science, one must proceed, first and foremost, from the concept of science in general, the ways of its possible development as a whole. Only then will the study of criminology be productive.

The study of any science (the definition of its concept and establishment of its place in the system of other branches of knowledge) is closely bound up with the analysis of

general scientific problems, particularly such problems as the relationship of science and society, the development of science, and the relationship of special sciences. The basic prerequisite for the success of a science is its close link with practice in the broad sense of the word, its aim to solve the current problems confronting society. Its functioning is characterised by insoluble links with the development of society. At the same time, however, we must also bear in mind that the unusually rapid development of modern science leads to the determining of possible ways of development of society.

What is meant here is the initial prerequisites for examining the various aspects of the interconnection of science and society, the study of science as a whole and of a special science, in particular. This also applies, inter alia, to the science of criminology.

Criminology is a science and, like all other sciences, it is not self-contained, not isolated from the life or society, from the general development of scientific thought. The relations of criminology with life are extremely complex and diverse. They include connections with many aspects of social knowledge, connections with the problems of social life and social consciousness. The life of society stimulates criminology to produce new knowledge.

Problems of the analysis of special sciences always arise in any study of general scientific questions. The main ones are the questions of the content and basic concepts of each science, and also the interconnections (and interaction) of special sciences. These questions are mainly of a philosophical nature. The most urgent and acute philosophical questions arise, as a rule, not within each of the special sciences or a part of these sciences, but in the spheres of their interconnection and interaction. Analysis of the conceptual apparatus and, consequently, of the problems relating to the subject of this or that science is impossible if it is confined to the framework of the given concrete special science. The importance of this proposition is particularly obvious if one bears in mind the well-known dialectical proposition on the mobile nature of the phenomena of reality. For criminology as a special science it is essential, vital, to take these circumstances into account.

Criminology as a special science

The main general scientific propositions and fundamental requirements relating to special sciences also extend to criminology. It may be seen as a system of specific knowledge which unites a set of concepts, theories, hypotheses, etc. Criminology is naturally part of the system of modern science on social organisation and develops as an integral part of the whole scientific process. In other words, criminology must not be considered separately (in isolation) from other sciences. The question of the laws of its development must be considered in relation to the state of science in general, and, in particular, such branches of science as the social and juridical sciences which are connected with crime control.

Criminology does not study everything concerning crime, only a definite range of problems in this sphere. Here it does not take the place of any other science. Criminology studies a specific sphere and has its own range of problems. True, the existence of similar features between problems within the sphere of criminology and questions within the sphere of other sciences gives rise to ill-founded arguments that criminology is not an independent science. These arguments usually lead to a simple "translation" of the concepts of this or that branch of knowledge into the "language of criminology", or vice versa. This impoverishes the initial content not only of criminology, but of any other branch of knowledge in which people try to "dissolve" it. However, we must not forget that criminology, like any other branch of knowledge, is not only the result, but also the process of developing specific (special, particular) knowledge. Other considerations characteristic of criminology as a special science must also be taken into account. Firstly, its link with the specific practice of crime control. Secondly, its possibilities not only of describing and explaining events, phenomena and facts, but also of foreseeing them, providing criminological forecasts.

Thus, criminology as a special science is a relatively independent system of objective knowledge, which is at the same time an element of the system of science in general and which puts its conclusions into practice in a special sphere of activity. This definition, in our view, may be considered an initial one.

We can get a general idea of the content of the science in question by elucidating the meaning of the actual word "criminology". It consists of two parts: the Latin word *crimen* (crime) and the Greek word *logos* (teaching). As we can see, this word means literally "teaching about crime". Here the term "crime" has the same meaning as "criminality". Consequently, criminology can be called the science of criminality. The term "criminology" first appeared in publications at the end of the nineteenth century. Originally people understood it as meaning problems of research into the causes of criminality. This can be seen, for example, from Rafael Garofalo's book which he entitled *La Criminologie.*[1] Later the term "criminology" began to unite nearly all the sciences dealing with questions of crimes, criminality.

The elaboration of specifically criminological problems began with research carried out in various spheres of science, particularly in medicine, moral statistics, sociology and psychology. These sciences carried out research on crime from their own theoretical positions and with their own methods. Such trends even appeared as "criminal sociology" and "criminal anthropology". These trends are traced in the work of Cesare Lombroso[2] and Enrico Ferri[3]. Thus, gradually the appropriate material was accumulated and systematised, and a point of departure and basis for research were created which led to the formation of criminology as an independent discipline.

Criminology cannot be examined in isolation from constantly growing scientific knowledge, particularly knowledge acquired in the sphere of sociology and law. Likewise this sphere of knowledge cannot be considered if one ignores or underestimates its independence. To deny the independence of criminology may be harmful not only to the science

[1] Rafael Garofalo (1852-1934)—a representative of the Italian anthropological school, a criminologist and lawyer.—*Editor's note.*

[2] Cesare Lombroso (1835-1909)—an Italian psychiatrist and criminalist, founder of the anthropological trend in bourgeois criminology and criminal law. Advanced the unscientific proposition of the existence of a special type of person predisposed towards the committing of crimes by virtue of certain biological features.—*Editor's note.*

[3] Enrico Ferri (1856-1929)—a representative of the Italian anthropological school and follower of Cesare Lombroso. Criminologist and lawyer.—*Editor's note.*

itself, but also to the other sciences with which it interacts. In the former case, criminology will be replaced by a sum of knowledge from the sphere of other sciences, and in the latter, the other sciences will be deprived of that which criminology can give them as an independent science.

Of course, in comparing criminology with other sciences (for example, criminal law, criminalistics, sociology, forensic medicine, or psychiatry) we can see that crime and its causes, the personality of the criminal, certain categories and types of crimes and their prevention (precautionary measures, averting and stopping) are at the same time the sphere of research of these sciences, too. Such a comparison may present criminology as a completely new and very young science. It is easy to come to this conclusion precisely because this branch of knowledge was formed as a result of the accumulation and systematisation of material by other sciences (particularly those mentioned above). This evidently explains why one still encounters views that throw doubt on the independence of criminology. This argument has been going on for decades and all that time criminology has been developing and improving as an independent science.

Among Soviet specialists, in spite of their differences of opinion, there is, generally speaking, a common understanding of criminology as an independent science. This is only natural. For in the development of criminology one should see a phenomenon which is well known in the history of science, when the growth of research within individual branches of knowledge produces material which under the influence of social requirements draws attention to the study of phenomena that require specialist knowledge. In the process of the mutual influence of the new research material and social requirements a differentiation of the branches of science takes place, with new branches splitting off from old ones. This historical process can also be traced in the formation of criminology as an independent science. The following were factors in this process: the social requirement engendered by the fact of the existence of crime and the need to accumulate special research material on this socially dangerous phenomenon (material that would make it possible to describe and explain this phenomenon and make appropriate forecasts), and also by the need to elaborate measures to prevent crimes (breaches of the law). Thus, criminology is a science born of life itself. One can

confidently say that criminology's "right of citizenship" as an independent science has now been recognised.

Proof of the fact that criminology is an independent science does not in itself reveal the content of this branch of knowledge, the full object of its study.

2. THE SUBJECT AND METHOD OF CRIMINOLOGY, ITS AIMS AND TASKS

A description of the subject of criminology

The main question of this or that science is how clearly its subject has been established and, consequently, to what extent it is possible to define and describe this subject accurately in the process of scientific research. The principles for determining the subject of a science are at the same time the initial, fundamental theoretical and methodological aspects of all research in that science. Defining the subject of a science makes it possible to formulate concretely the aims and tasks of the research. To elucidate what is the subject of a science and what is its method means to reply to the question of what phenomena this science studies and what devices it uses for this purpose.

Defining the subject of criminology is essential both as an initial prerequisite for selecting the object and organisation of research and as a most important factor for regularising the system of the juridical criminal-law sciences—the sciences of the criminal cycle. The specific nature of the subject of criminology will be more evident if one not only states what this science studies, but also reveals its relationship with the system of related sciences both in terms of subject and other features.

The subject of criminology embraces a multitude of different problems. We must also remember that the question of the subject, as indeed the subject of the science itself, cannot always remain unchanging. Only ten years ago it was stated in the literature that criminology as a science studies three spheres of phenomena: crime, its causes, and ways of preventing it. Five years later specialists were writing differently about the subject of criminology: it studies crime and its causes, the personality of the criminal, the prevention of crime and other offences. The opinion has also been

expressed that the subject of criminology should include crime forecasting. Some specialists consider that it should include economic, cultural and other factors influencing crime. Others think it essential to include in the subject of criminology those forms of deviant behaviour and various "background" phenomena that are closely connected with crime: drunkenness, drug addiction, amoral behaviour, parasitism, neglect of children, etc.

We are of the opinion, however, that one should not dissolve the subject of criminology in the vast number of problems that are connected in one way or another with crime. It must not be forgotten that the precise definition of the concept and range of subject of a science is very important, because it circumscribes the framework of research, its reasonable limits, and ensures that research is not extended to phenomena that might distract one from the true aim of the science. Observance of this requirement makes criminological research concrete.

What are the initial standpoints for the study of the subject of criminology? Criminology is a juridical science—this is the first thing that must be said quite definitely. Other opinions do exist, however. Some maintain that criminology is a social science. Others argue that it is a branch of law. In refuting the former, one must be careful not to cut criminology of sociology. The meeting-point of sociology and law in this case is extremely fruitful. The affinity of criminology with law and sociology is therefore beyond doubt. Any concept of criminology without sociology, whatever division of criminological science into "pure sociology" and "pure law" this may envisage, is anti-scientific in our day, and conflicts with modern scientific knowledge in the sphere in question. Criminology, as an independent branch of knowledge, lies within the extensive zone of convergence and intersection of sociology and law.

The subject of criminology is the specific sphere of social relations which possess a content that makes it possible to distinguish them from other social relations. These are the relations connected with crime and its prevention, the causes and conditions of crime, criminal behaviour and the prevention of such behaviour. It is these relations that form the nucleus of the subject of criminology and determine the features of this science. But the subject of criminology may also include other relations closely connected with crime,

They usually include social relations connected with so-called pre-criminal (anti-social) behaviour. As a rule, this denotes non-criminal forms of anti-social behaviour, which eventually result in crime. Naturally, the two forms of social relations in question do not coincide in their content. They are by nature close, but not identical. From the point of view of criminology, one can speak only conventionally of their unity. The feature that enables us to distinguish between these two types of relations is their juridical basis.

To give concrete expression to what has been said, we can say that the subject of criminology is crime. Research (including forecasting) aimed at understanding crime, which is also included in the subject of the science, concerns the following: crime as a phenomenon; the concrete crime, i.e., the crime as an individual form of criminality; the causes and conditions of criminality, the causes and conditions of concrete crimes; the criminal personality; the prevention of crime as a phenomenon and the prevention of individual crimes. These are, figuratively speaking, the main characters in criminology. They also characterise the structure of the subject of this branch of knowledge.

One must bear in mind that the development of scientific research in the sphere of criminology is at present aimed at identifying the various aspects that go to make it up: preventive, prognostic (which is included in the structure of administration), the study of crime and its causes, the criminal personality, etc. One could also mention such aspects as victimology[1] and even suicidology[2]. Naturally, each aspect is subjected to independent scientific research, forming in a number of cases the subject of a special study and the subject of a relatively independent academic discipline. However, each of these aspects is first and foremost a criminological one. For we speak not only of the general theory of criminology, but also of the individual theories of the science. Their interconnection is obvious. They share the same sphere of study, the criminological sphere.

The preventive trend in criminology, for example, arose and began to develop mainly in connection with the practical needs of controlling crime, offences. This trend is usually

[1] Victimology—the study of victims of crime, which comes within the sphere of criminology.—*Editor's note.*

[2] Suicidology—the study of suicides. In cases when a suicide has criminal significance it is studied by criminology.—*Editor's note.*

called applied. However, the term "prevention" can be seen in a wider context, not only from the viewpoint of criminology, but also from the viewpoint of sociology and law, the whole complex of criminal-law sciences, management psychology, etc. Then we are dealing with social prevention. Hence the development of such a complex applied scientific discipline as social prevention. Although firmly based on criminological theories, the discipline in question exists independently, for its content is determined by the practical sphere which it serves. Obviously its subject cannot be absorbed by the subject of criminology. The concept of this prevention does not coincide with the concept of criminological prevention. The latter is merely a part of social prevention.

The structure of the subject of criminology

In this case the problem is connected with the study of the individual structural elements of the subject of criminology. We must proceed from the fact that without establishing clear-cut scientific criteria for defining the relations that make up the subject of criminology, we cannot formulate the very concept of the subject of this science. Moreover we must determine the system of social relations connected with the problems studied by criminology.

In speaking of the subject of their science, criminologists usually talk mainly about crime, its causes and conditions. However, to our mind, the criterion of the close connection of the subject of criminology with crime only, its causes and conditions is insufficient for a profound study of the structure of this subject. Firstly, it declares all social relations in any way connected with crime to be the subject of criminology, secondly, it encourages the not always justified expansion of the subject of this science at the expense of the relations connected with crime and its causes. This leads to an indefinite structuring of the subject of criminology. It is essential, therefore, to study the inner structure of social relations connected with crime, its causes and conditions, and their logical connections, i.e., the inner organisation of the subject of criminology. For crime, like its causes and conditions (in the broad sense), is the subject of direct study of criminal-law sciences (the sciences of the criminal cycle): criminal law, criminal procedure, criminal-

istics and corrective-labour law (criminology is also included in this cycle). These sciences study various aspects of crime with their own methods and corresponding research aims. Therefore we can speak, on the one hand, of the criminological study of crime, its causes and conditions, and on the other, of criminal-law, criminal-procedural, criminalistic and corrective labour studies. The overall study of crime may be called "criminal". This concept is a collective one. It unites all the branches mentioned above.

The other sciences, juridical and non-juridical (connected in some way with criminology) study crime, its causes and conditions only indirectly. Crime enters the sphere of these sciences only from the viewpoint of their own subject, and mainly in connection with an analysis of the relations that show a connection with crime.

Thus, it is permissible to speak of two types of social relations connected with crime, its causes and conditions: those of a criminal-law nature (direct connection) and those not related to criminal law (indirect connection). In the first group we must distinguish those relations which are part of the subject of criminology. They have their own special features. And we must proceed from the fact that the subjects of the criminal-law sciences intersect but do not coincide.

In drawing a demarcation line between the subjects of the criminal-law sciences, we must focus attention on the interpenetration of these sciences. It is essential to stress the impossibility, futility and even harm of attempts to erect a kind of "Great Wall" between these sciences. No definition of the subject of any of the criminal-law sciences cuts them off from one another, because the process of interpenetration is characteristic of them. Identification of the subject of each of these sciences and their interconnection, and a study of the structure of the subject is essential only for the purposeful and effective organisation of scientific research in the sphere of this or that branch of knowledge and also for the solution of questions of the concrete use of scientific achievements in the practical work of crime control.

In defining the structure of the subject of criminology, one must indicate the range of social relations that are connected with the problems studied by this science. These problems include: a) crime as a phenomenon, its causes and conditions; b) the personality of the criminal and criminal

behaviour; c) the prevention of crime and crimes; d) criminological research (including forecasting) on the phenomena of crime: e) administration of the processes of crime control.

These problems are studied from the viewpoint of criminology. Their complex analysis is connected with the interdisciplinary nature of criminology.

The subject of criminology is connected with its method. The method of a science cannot be elaborated in isolation from its subject, because it is the latter that determines the specific features of the former.

The method of criminology

Philosophy does not give ready-made solutions to the questions studied by special (concrete) sciences, but provides all branches of knowledge with a correct theory of thought and method for finding these solutions. In the sphere of criminology, for example, Marxist-Leninist philosophy directs scientific thought to an increasingly precise understanding of the phenomena of crime in all their objectivity, in all their concreteness and dialectical contradiction. It is no accident that we have observed recently a considerable growth of philosophical problems in criminology. This testifies to criminologists' growing interest in the generalising, fundamental questions of their science, their striving to develop creatively a methodology for understanding the specific nature of the phenomena of crime. The nature and scale of modern criminological problems urgently demand a further improvement in criminological methodology. All this is connected with the active application of the universal method of cognition in criminology.

In studying crime criminology actually studies social phenomena, the most complex type of matter in motion. Therefore general philosophical methodological principles manifest themselves here (in the study of the phenomena of crime) in concrete form. As they make the transition to increasingly concrete levels of cognition they acquire additional characteristics and act as the method of the social sciences (to which criminology also belongs). Sometimes these general philosophical principles do not reveal themselves externally, but they are invariably present as the logical foundation of the method (and the whole categorial apparatus) which is used by more concrete spheres of knowl-

edge. It should be remembered that general philosophical methodology runs through the methods of the special sciences. Its relationship to them is that of the universal to the particular. It is not a question of the mechanical extension of general philosophical principles to the cognition of the phenomena of crime, but of their further deepening and development in criminological research.

There is an urgent need for criminology also, firstly, to elaborate its own methods proceeding from its subject and, secondly, elaborate its own forms of applying the universal method of cognition. In other words, there are two important prerequisites for the application of philosophy in criminology: a) insofar as the content of the subject in question is expressed in its method, the special features of the subject inevitably predetermine the special features of the method, which makes it necessary to apply in criminology, alongside philosophy, its own special methods; b) the general concepts and principles created by philosophical theory are of major significance in research into the concrete, special problems which criminology studies.

The method of dialectical materialism in criminology

The dialectical law of the development and interconnection of phenomena forms the basis of the study of crime and its categories. Acceptance of the dialectical method as the basis of scientific criminological research raises the question of how to use this method in solving concrete problems related to the subject of the science in question. It should be borne in mind that in general the problem of crime (like all other problems in criminology) is a non-formal one. Therefore the dialectical method is one of the basic methods of the scientific study of the phenomena of criminality. The application of the dialectical method in criminology should be done, first and foremost, by research from the concrete to the abstract, and then from the abstract to the concrete. "The first procedure attenuates meaningful images to abstract definitions, the second leads from abstract definitions by way of reasoning to the reproduction of the concrete situation."[1] In relation to criminology this proposition

[1] Karl Marx, *A Contribution to the Critique of Political Economy*, Progress Publishers, Moscow, 1978, p. 206.

means that in proceeding from the direct idea of crime, not yet analysed by the theory of criminology, it is essential to single out the most general concepts and definitions, and then to reproduce these general concepts and definitions in the concrete diversity of their manifestations. In so doing one must proceed from Lenin's proposition that "thought must *apprehend* the whole 'representation' in its movement, but *for that thought* must be dialectical".[1] What is meant by movement here is any change of state. Dialectics is the pure movement of thought in notions.[2] It rejects outright the admission of absolutely unchanging, final, eternal concepts on this or that phenomenon or process, no matter how simple and elementary they may seem. It should be remembered that criminological concepts also move away from what has become usual and commonplace to what seems unusual and not commonplace.

The processes of the appearance of new elements in criminology, which are dialectical in their nature, are not standard, stereotyped ones. Here the new is cognised, as a rule, in the process of and as a result of forecasting. Forecasting, from the point of view of dialectics, is an assumption based on knowledge of the laws of the objective world as to what will happen, how and in what way a given phenomenon will change in the future. In this case dialectics acts as a method of forecasting and of purposive action.

The dialectical method is dialectics in action. It contains all the ways and means of applying dialectics in the study of the specific subject of criminology and setting out its results. Mastering the method should not be restricted to acquiring knowledge of the laws and categories of dialectics. This is only the first stage. The essence lies in being able to apply dialectics. The way for criminology to master the dialectical method is for it to study the methodology of Marxism-Leninism.

How does dialectics show itself in criminology and how does it help us to assess phenomena and processes on a truly scientific basis? Dialectics shows itself first and foremost in the objective contradictions of the process of criminological cognition, as movement from lack of knowledge to knowledge by overcoming errors and mistakes, replacing

[1] V. I. Lenin, "Conspectus of Hegel's Book *The Science of Logic*", *Collected Works*, Vol. 38, 1961, p. 228.
[2] *Ibid.*, p. 252.

relative truths, surmounting one-sided aspects of theory, etc. These contradictions of cognition, evaluated from the viewpoint of dialectics, show us how incomplete knowledge becomes more complete. Frederick Engels said that dialectics make us aware of "the necessary limitation of all acquired knowledge, of the fact that it is conditioned by the circumstances in which it was acquired".[1] Dialectics "works" effectively in criminology precisely because the phenomena and processes studied by this science possess such contradictions in their development that are characteristic of them as social phenomena. The dialectical mode of thought places the problem of analysing these phenomena and processes on the foundation of concrete research. This approach enables one to understand the special features and trends of the development of the phenomena and processes studied by criminology, which stem from the specific historical conditions of this or that age, this or that country. For criminology dialectics is vital and productive only in constant interconnection with concrete knowledge, with life, with the pressing problems of modern criminological knowledge. It serves as a means of solving these problems and is constantly enriched with their concrete content. In such cases dialectics and criminology are "directly" linked with each other.

The multiplicity and diversity of definitions of dialectics testifies to its many-sidedness. It is, as Lenin said, "*living*, many-sided knowledge (with the number of sides eternally increasing), with an infinite number of shades of every approach and approximation to reality".[2] Therefore in criminological research (as in all other scientific research) it is impossible, and unnecessary, to assess phenomena and processes from the viewpoint of all the aspects of dialectics. In such research it is quite permissible to stress one particular aspect of dialectics, to consider it from this or that angle. However, the criminologist is bound to take into account the broad possibilities of the dialectical interpretation of the phenomena and processes under review.

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[1] Frederick Engels, "Ludwig Feuerbach and the End of Classical German Philosophy". In K. Marx and F. Engels, *Selected Works* in three volumes, Vol. Three, Progress Publishers, Moscow, 1977, p. 363.

[2] V. I. Lenin, "On the Question of Dialectics", *Collected Works*, Vol. 38, p. 362.

The union of dialectics and criminology is not a formal one. Dialectics provides a broad methodological base for a meaningful analysis of the problems studied by criminology. Dialectics helps criminology to interpret its problems philosophically.

The method of historical materialism in criminology

The approach to the understanding of social phenomena and processes from the viewpoint of historical materialism is at the same time the dialectical approach. Historical materialism must not be divorced from dialectical materialism. They must be examined together. The difference between dialectical and historical materialism lies not in the principles of their approach to the phenomena of reality and not in their methods of considering these phenomena, but in the objects of research, in the range of phenomena considered. Dialectical materialism is a science about the most general laws of development of nature, society and human thought. Historical materialism studies the laws which operate in society only. Therefore, in all scientific research, criminological included, it is important to ensure a close link between historical materialism and dialectics, dialectical materialism.

For criminology the method of historical materialism (or historical method) is important not only for solving "purely historical" questions, but also for understanding the present day. This method helps us to explain the essence of present-day phenomena and can be used to forecast processes of development both of society as a whole and of concrete social phenomena, such as crime. Lenin wrote of the historical method: "The most reliable thing in a question of social science, and one that is most necessary in order really to acquire the habit of approaching this question correctly and not allowing oneself to get lost in the mass of detail or in the immense variety of conflicting opinion—the most important thing if one is to approach this question scientifically is not to forget the underlying historical connection, to examine every question from the standpoint of how the given phenomenon arose in history and what were the principal stages in its development, and, from the standpoint of its development, to examine what it has

become today."[1] From this proposition of Lenin's one can draw the following conclusion: the historical approach to the analysis of criminological problems, questions of the origin and change (development) of the tendencies and laws of crime in the past, present and future is one of the most important manifestations of the method of historical materialism in criminology.

This approach is an essential condition for revealing the essence of crime, for it links this phenomenon indissolubly with a definite socio-economic formation, with the whole system of social relations at a given stage of the development of society. Moreover the method of historical materialism enables us to understand the contradictory nature of social development, to grasp the essence of the phenomenon under review, and also of the processes connected with this phenomenon, their laws, main tendency and direction of development.

The basis of all scientific research is the study of history as a single process which is law-governed in all its many-sidedness and contradictoriness. This may be the study of the history of society as a whole, when one is dealing with a global problem. It may also be a study of the history of this or that sphere of social life, when a task arises in the sphere of some particular phenomena. But in both cases scientific research must include a study of the law-governed development of the relevant social object (or objects) from the viewpoint of its history. Crime is such a social object. As a social phenomenon it has its own history. In studying it from the standpoint of Marxist-Leninist philosophy, it is easy to see that its development is consistent, law-governed and conditioned. However, a study of the history of crime presupposes an examination of all its contradictory tendencies that are characteristic of it in a certain period of time. This is an essential requirement of Marxist-Leninist philosophy. Lenin pointed out that in analysing any social question it is essential to place it within a definite historical framework.[2]

Crime, as a social phenomenon, can be successfully studied only if the whole course of its history, the laws of its

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[1] V. I. Lenin, "The State", *Collected Works*, Vol. 29, 1965, p. 473.
[2] V. I. Lenin, "The Right of Nations to Self-Determination", *Collected Works*, Vol. 20, 1972, p. 400.

changes at different stages, its contradictions, tendencies, etc., are studied from the standpoint of Marxist-Leninist philosophy. The main task of the historical approach to these problems is to reveal and determine the contradictions in the development of crime and to establish the factors that have promoted its changes over the whole history of this phenomenon. This requires concrete, precise consideration of the changing historical situation. To concentrate only on the past and fail to see and understand the new elements that arise in the process of the historical change of crime as a phenomenon may lead to serious errors.

As a theory of society and the laws of its development, historical materialism enables us to generalise the history of criminology in general and the history of all the questions included in the subject of this science, and to assess their qualitative and quantitative changes in time.

Thus, dialectical and historical materialism helps us to study those events, phenomena and processes which characterise the subject of research from the broadest, most universal standpoint.

3. THE AIMS AND TASKS OF CRIMINOLOGY, ITS MAIN FUNCTIONS

Aims and tasks

For science it is important to define its aims clearly, in order to provide reliable pointers for its development and to make it impossible to deviate from the chosen path. The aim of criminology generally speaking is to construct models of the future result of scientific activity in this sphere. The posing and substantiation of this aim on the theoretical level is based on scientific knowledge with due account of the requirements and interests of theory and practice. For theoretical knowledge (criminology itself as a system of knowledge) is linked with practical activity not directly, but through activity in the sphere of crime control, which promotes the elaboration of practical aims on the basis of this knowledge.

Science, all branches of knowledge, objectively promotes the transformation of reality and develops in accordance with the aims which it has been set. It is with their help that it confronts existing reality, as it were, and by means of cer-

tain actions (scientific research, the whole process of cognition, of obtaining new knowledge) changes reality in a way that is desirable for society. The aim (aims) expresses the creative, transforming relationship of science with reality, its active relationship with the desired future. It (this aim) is the spearhead of scientific thought aimed at the future. But the achieved aim is the result not only of cognitive, theoretical activity, but also of constructive practice. Only a union of theory and practice can lead to the attainment of the aims set.

The ultimate aim of criminology as a science determines its orientation in general, on which depends the whole logic of the process of cognition, the whole organisation of scientific research in this sphere. This aim must be in keeping with the policy of crime control. As we know, the ultimate aim of this policy is to abolish crime and the causes and conditions that give rise to it. The ultimate aim of criminology, then, is to equip practice with all the necessary scientific knowledge for the abolition of crime and the causes and conditions that give rise to it, and to create an appropriate scientific base for this. These aims of crime control policy and criminology as a science are in the interest of Soviet society and are of a profoundly moral, humane nature. In setting these ultimate aims criminology and crime control policy are going beyond the confines of the present, and thus of old, accumulated practical experience and theoretical knowledge.

The *long-term aims* of a theoretical and practical nature are basically the creation of a many-sided, many-levelled system of preventing crime as a phenomenon, preventing individual types and categories of offences committed by members of different social and age groups. They also include neutralisation of criminogenic factors and strengthening of the influence of anti-criminogenic factors on crime. The long-term aims also envisage the uniting of all measures of social prevention: moral, legal, etc. However, such a system must constantly take into account changes both in social development and in crime. Therefore an essential prerequisite for the construction of this system if it is to operate effectively over a considerable period is criminological forecasting and long-term planning, based on this forecasting, in the theory and practice of crime control. Here criminology must see its own specific aims—the scientific solution of not only theoretical, but also practical tasks: how the system

of prevention and abolition of crime should be constructed in order to satisfy practical demands and requirements. Criminology should offer alternative solutions and provide the necessary information. Practical workers make use of this material in controlling crime.

Short-term aims are, as a rule, connected with carrying on everyday scientific and practical work in the sphere of crime control, and with the gradual creation for this purpose, and also for the attainment of long-term and ultimate aims, of an appropriate material and technical base. Karl Marx wrote: "Mankind ... inevitably sets itself only such tasks as it is able to solve, since closer examination will always show that the problem itself arises only when the material conditions for its solution are already present or at least in the course of formation."[1] The abolition of crime in our country is a real aim. It is conditioned by the very system of socialist society and state organisation and is linked with the further development of this system. Everything is being done for its attainment: science is developing, a network of research establishments is being set up, personnel are being trained, practical work is being improved, and so on.

The connection of aims and tasks. Success is not achieved by waiting passively for the achievement of long-term and ultimate aims. It is essential, first and foremost, to define clearly and attain (in the first stage) short-term aims which usually conform to everyday tasks. The short-term aims are to increase the effectiveness of the theory and practice of crime control. As in theory, so in pratice, everyday tasks can be successfully performed only if we possess as much information as possible about crime and means of preventing it. Consequently, corresponding research is necessary. From the point of view of short-term aims this research can be carried out over a definite period, e.g. five years.

The main task of criminology is to obtain reliable information about crime and to draw up measures for controlling it. There can be no doubt that the ultimate aim of criminology is to be a highly effective science, to promote, by solving its problems, the formation of the new man. In the final analysis, the value of criminology will be measured

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[1] Karl Marx, *A Contribution to the Critique of Political Economy*, p. 21.

by its connection with life, with the practical work of building a communist society. This in no way excludes the need for a deep theoretical foundation. Without the setting up of a scientific system, without the identifying of simple elements, initial concepts, without fundamental generalisations the effect will be superficial. Criminology will perform its major tasks in crime control—the abolition of this phenomenon from the life of Soviet society, only if it acts as a true science.

The tasks of criminology may be summarised as the detection and scientific study of the causes and conditions of crime, the analysis of the tendencies and laws of crime, its state, level and structure. These tasks also include the detection of persons capable by virtue of their behaviour of committing a crime, and the study of them with the aim of exerting an edifying, preventive influence on them All this is necessary in order to provide the practical sphere with concrete recommendations, the best possible information.

Special attention must be paid to solving the task of a differentiated approach to crimes and criminals, the elaboration of preventive measures. All these tasks make it necessary to examine the following main groups of scientific and theoretical problems which concern not only current, but also long-term aims.

The study of crime as a phenomenon

Here the main attention should be devoted to an analysis of crime as a phenomenon, its causes, and factors—criminogenic and anti-criminogenic. Special subjects of research are the state, level, structure and dynamics of crime at different stages of the development of society. It is essential to ensure observance of the principle of the unity of quantitative and qualitative analysis. On the basis of the data obtained criminological forecasts are made which form the basis for long-term plans for crime control.

The study of types of crime is connected with the analysis of recidivist crime, juvenile delinquency, primary crime, female crime, male crime, etc. This is done in accordance with the demands made of scientific research.

In studying crimes and their causes data on the interconnection of crimes, their different groups and categories with the phenomenon of crime as a whole are accumulated, gener-

alised and analysed. On the basis of systems analysis a studd is made of the interconnection of all crimes, firstly, wity individual elements of the metasystem, and, secondly, with the social system as a whole (with all the phenomena anh processes that exist in society). In paying special attention to the classification of crimes (the classification of crimes that are homogeneous and similar into "generalised types"), the criminologist generalises and studies (interprets accordingly) data on the causes of the commission of concrete crimes, on the conditions in which they are committed, and the circumstances (situations) which promote their commission. As a result he obtains a picture of the causes of crime as a whole. Research into the causes of crime facilitates to a certain extent a study of the consequences of the anti-social behaviour both of individual categories of offenders and of certain social micro-groups of persons leading an anti-social way of life. Here we are dealing basically with the practical questions of explaining the causes, conditions, and circumstances of crimes and their consequences.

Study of the criminal personality and the mechanism of committing a crime

First and foremost it is important to describe and assess from the theoretical and practical point of view the structure of persons committing crimes, according to such features as sex, age, education, etc. This enables us to analyse how offenders realise their illegal (criminal) behaviour in a real socio-psychological environment and what influence they have on the formation of individual propositions of "everyday philosophy" and "everyday psychology". Such an analysis helps us to understand the formation of the so-called scale of social values of those around us, to determine the social prestige of the bodies controlling crime and the individual representatives of these institutions, and to assess the offenders themselves. This, in its turn, promotes the accumulation and generalisation of data on the commission of offences, materials describing unlawful activity and the most characteristic, frequently occurring factors in the preparing and concealing (the latent aspect) of crimes within different categories and groups. It would appear to be possible to analyse the conceptual structure of the various types of crimes in terms of the processes of their commission. Spe-

cial attention must be paid to the processes of the formation of "programmes" of anti-social behaviour of the individual in society and the laws governing the processes of the formation of "programmes" of lawful behaviour in different conditions—in open (family, school, etc.) and closed (predominantly places of detention) communities. The data obtained will help to ensure the drawing up of measures to prevent anti-social behaviour.

The regional study of crime includes two main trends: the accumulation and generalisation of data on the distribution of the various types of crimes in the various regions and the generalisation of regional information over the country as a whole. These data help to organise a more effective crime control (to draw up forecasts, preventive measures, etc.) with due account not only of nation-wide requirements, but also of the local conditions of this or that region.

Determining the main trends in crime prevention

Here the first thing to be assessed is the general trend of preventive activity, then the trends, types and forms of this activity are established from the standpoint of the differentiated approach. The main trends of prevention are: early and direct prevention, general prevention and individual prevention. In the drawing up and carrying out of preventive measures the comprehensive approach is essential. It requires the elaboration, firstly, of a system of prevention in general, and secondly, of a system of preventive measures which take account of individual trends: moral, legal, pedagogical, psychological, medical (including psychiatric) prevention, etc.

The prevention of individual categories and groups of offences is based on the above-mentioned classification of crimes and the differentiated approach to them. It is essential that special attention be paid to the prevention of crimes committed through drunkenness and alcoholism, and also through drug addition and toxicomania, amoral behaviour in the sphere of sexual relations, the socially dangerous behaviour of persons with psychic abnormalities that do not exclude liability, etc. The traditional trends should not be overlooked: the prevention of murder, robbery and embezzlement, hooliganism, juvenile delinquency, recidivist crime, etc. There has long been an urgent need to determine special features of

preventive measures for women offenders. A study of the different character of crimes and their many and various causes and the drawing up of differentiated measures for their prevention will help to solve the task of creating a proper prevention system.

The system of subjects of crime prevention is composed of two main groups: state bodies and public organisations (formations). Precise listing of the subjects of crime prevention will make it possible to establish not only their concrete functions, but also the functions of the subdivisions and officials, public formations, clubs, societies and other public organisations, and their representatives, etc., which form part of the system of this or that body, organisation or department.

Defining the objects of preventive action is linked with answering the question: In relation to whom should crime prevention be carried on? Here we must list the categories of persons in need of preventive action, both as a whole, and also separately depending on their degree of social danger (recidivists, drunkards, family brawlers, etc.). Precisely who and under what circumstances should be subjected to preventive measures? The answer to this question is a most complex task which nevertheless must be solved.

Life also dictates the need to accumulate and generalise data on material and other types of resources expended by the state on crime control (crime prevention, detection and investigation, the investigation of criminals, etc.). Here account must be taken of the material loss incurred by society as a result of the commission of crimes. It is essential also to accumulate and generalise data on the material valuables returned to society (and conserved for society) as a result of the preventive activity of the bodies and organisations controlling crime. This problem is linked, first and foremost, with keeping records and creating information banks. A clearing-house of information on the "crime budget" is needed.

Forecasting is of special importance. Theory and practice have shown convincingly that the function of forecasting is an integral part of criminology. Scientific cognition in the sphere of criminology not only reflects the present state of the phenomena (processes, events) which it studies, but also, by basing itself on the tendencies and laws of development of these phenomena, outlines the estimated results of purpos-

ive action on them. Hence it follows that criminology, which creates a theoretical basis for organising crime control, should master prognostic methods to perfection.

The functions of criminology

In studying the questions which form part of its subject, criminology carries out scientific research from different standpoints: it reveals the main features of crime, analyses cause and effect relationships, and studies the tendencies and laws of any given phenomenon, not only from the standpoint of its past and present, but also of its future. In the former case the leading role is played by descriptive and explanatory functions, in the latter by the forecasting, or prognostic function. Criminology thus has three main functions: descriptive (or diagnostic), explanatory (or ethnological) and forecasting (prognostic). In other words, one can detect three stages in the development of this science: the empiric (or collective) when the researcher explains how this or that process takes place; the theoretical (or explanatory) when the researcher seeks to find why a process has taken place in a certain way; and prognostic, when the researcher tries to look into the future and detect the prospects for the development of the phenomenon or process in question. It is at this higher stage that the possibilities of criminology as a science are revealed fully. These three stages (functions) of criminology always overlap. Together they may be represented as the cognitive function which also has the practical application.

Let us first consider the *explanatory function*. To explain is to reveal the essence of an object on the basis of empirical facts and general theory. This function makes it possible to proceed from a description of the phenomena under consideration to a strict scientific analysis of them. One of the main tasks of criminology is, therefore, that of explanation. Criminological theory is created mainly to solve this task.

In the performance of its functions, with the help of which it obtains new knowledge, criminology has great possibilities for organising and carrying out theoretical and applied research connected with practical needs.

Theoretical research is usually research aimed at discovering new phenomena and laws. Applied research, as a rule, is that which is put to direct practical use. The distinction

between these types of research would seem to be purely conventional.

It is obvious that the word theoretical can be used for research that determines the frontiers of science, so to say, i.e., research of great theoretical as well as practical significance. Such research produces conclusions that are important both for the science itself and for the general direction of practical activity. Applied research, based on the results of theoretical research, makes it possible to draw up direct practical recommendations. Thus, the link between theory and practice is a two-way one: practice provides theory with requests and theory provides practice with answers and recommendations.

Let us now describe briefly the *ideological function* of criminology. The social sciences, criminology included, are ideological by their very essence, their nature. The role of criminology in ideological activity is growing, but at the same time the role of scientific ideology in criminological research is also increasing. The construction of a theory of criminology (as a social science) presupposes a clear definition of its philosophical basis. The philosophical content of this science is not a kind of abstract schema divorced from reality and the practical fight against negative social phenomena, crime. The principles of criminology are always based on a definite class foundation. By creating a theoretical basis for crime control, criminology is defending the interests of the advanced class of our society—the working class—the bearer of Marxist-Leninist ideology.

Criminological theory (theoretical function). By studying the questions that come within its subject, criminology elaborates its own ideas and theoretical concepts. Assessing criminology as a science, we can say that it is a logically well-constructed theoretical conception. The elaboration by criminology of a number of theoretical conceptions and corresponding synthetic concepts is a condition of its successful development. The theoretical conception of criminology is aimed at the understanding and explanation of the phenomena of crime and elaboration of practical recommendations. To reject theory in this sphere is to reject objective knowledge about crime and the phenomena related to it. Outside criminology as a theoretical discipline no generalisation, systematisation or analysis is possible. Effective crime control is, therefore, also impossible outside this

theory. That is why the need for the elaboration of criminological theory, or as it is sometimes called, theoretical criminology, is not decreasing, but growing constantly.

Scientific theory has a structure. There are two types of initial prerequisites for its construction. These are empirical data (the direct foundation of a science) and propositions which form the initial theoretical basis (postulates, axioms). Both the theoretical and the empirical levels of research are characteristic of criminology. The empirical level has as its subject concrete facts, accumulated empirical material which is necessary for further study and generalisation. At this level criminology only records facts, as it were. In this case it does not possess any scientifically substantiated conclusions. The empirical level is essential for criminology, yet at the same time limited, so it is combined with theoretical research. At the theoretical level of research the results of empirical analysis are usually introduced into a higher system of relations and conceptual models of the processes under review are constructed. The importance of theoretical research lies in the fact that it provides knowledge of the essence, the general structure and causes of the processes analysed, making it possible to put the categorial apparatus into a relative system. However, for criminology the concepts of the theoretical and empirical have no absolute meaning. They frequently interchange as one moves from one level of research to the other. Criminology therefore appears sometimes as an empirical science and sometimes as a theoretical one. The question of the dividing line between the theoretical and empirical must be decided separately in each concrete case. One should not look for contradictions here.

The analysis of the empirical and theoretical in criminology by no means excludes the examination of these levels of research independently, separately. Theoretical criminology (the theoretical aspect) differs from empirical criminology (the empirical aspect), first and foremost, in its stability, irrefutability. With regard to empirical generalisation there is not and cannot be any certainty that sooner or later it will not be refuted, for the possibility always exists that an event will occur that contradicts this generalisation. Theory, however, is not discarded in this way and, as a rule, enjoys its former trust. This feature of theory testifies to the "safety margin" of scientific knowledge. In relation to criminology, as to other concrete sciences, the main question is whether or not this or that conception belongs to the class of theory. Here we must remember that theory aims not only at acquiring knowledge, but also at establishing it as being of universal significance in science.

One should, of course, always remember that theoretical criminology cannot be unambiguous insofar as it depends on empirical criminology, i.e., factual data, facts. The differentiation of criminological knowledge into theoretical and empirical by no means signifies their total autonomy

from each other. Their development proceeds thanks to their interaction and interconditioning. The dialectical relationship of theoretical and empirical criminology is determined by the unity and variety characteristic of scientific knowledge.

The need for the further creative elaboration of criminological theory is not decreasing, but, on the contrary, growing. However, the tasks confronting the science can be solved only if it is very closely connected with life. Scholastic theorising, that barren flower of science, can only hamper its advance. The development of theory is not an end in itself, but a vital requirement. That is why it is essential to extend and deepen fundamental research consistently, because what at first may seem to be totally abstract theoretical formulas, if they reflect a real subject of research to a greater or lesser extent, are eventually turned to direct practical advantage and provide tangible results. The theoretical possibilities of criminology should, therefore, also be considered from the viewpoint of practical significance.

A special feature of criminological theory is that it forms the basis of practical action in crime control, determining more fully and concretely the ways of this control. This means that theoretical activity is becoming one of the most important factors promoting effective crime control. Research of this kind stimulates the posing of new theoretical and practical problems and promotes the development of a creative attitude to practical activity. It is in this connection that one speaks of a rise in the science of criminology, the enhancement of its role and significance in crime control.

The present stage in the development of criminology is advancing methodological (and therefore also philosophical) problems to the forefront. Armed with Marxist methodology, we can determine the place and significance of phenomena and processes studied by criminology in the social system, theoretically interpret empirical material, provide a philosophical generalisation of scientific analysis, and detect new criminological problems connected with social development. In all this the theoretical and methodological levels are considered from the viewpoint of dialectical unity.

Thus, criminological theory equips scholars and practical workers with scientific knowledge about crime and related phenomena and reveals the sources and mechanisms of the corresponding processes. It creates the prerequisities for

understanding the phenomena of crime. Criminology as a science is called upon to provide a theoretical analysis of the cognitive activity in the framework of its research, to elaborate theory and methodology, and to substantiate theoretical knowledge. It is obliged to prove its theoretical propositions, to show the truth of its theoretical system of knowledge, and to substantiate its initial and derived concepts. Soviet criminology performs its theoretical functions in accordance with the requirements of the universal method of cognition.

Applied criminology (*practical function*). The practical function of criminology is directly connected with its theoretical function and proceeds from the very essence of scientific cognition. An important stimulus for scientific inquiry in the sphere of criminology is practical work, its needs and requirements. Crime control makes demands upon criminological theory. This is why practical crime control plays a decisive role among the other factors influencing criminological theory. The practical tasks confronting criminology are diverse. The main one is to equip practical workers for effectively controlling crime. In other words, the practical role of criminology is to create scientific foundations for the organisation of crime prevention in order to ensure the most positive results. This is why criminology does not confine itself to theoretical research on problems of crime control, but deals with a wide range of questions connected with their practical solution.

Practice is a central category of Marxist-Leninist epistemology. It is the base for the attaining of objective knowledge, the main criterion of the accuracy of any theory. Yet it acts as such a criterion only when it is understood as activity aimed at transforming reality in a way desirable for society. Moreover it is essential to ensure the unity of theory and practice as an indispensable condition of the effectiveness of the theoretical and practical types of activity. At the same time it is also essential to strive for the conscious application of theoretical propositions, the practical application of science. This is also true of criminology whose practical function strikingly represents one of its main parts—applied criminology. Here we must remember that one of the specific features of the modern stage in the development of criminology is the extension of its practical (applied) front. It is obvious that the solutions offered by criminology to this or that practical task are effective only when they are substantiated by theory. Consequently, the unity of the theoretical and applied aspects is an essential condition of the further development of criminological science and the practice of crime control.

Crime control is increasingly becoming not only a field for applying the achievements of criminological theory, but also an essential component of scientific knowledge in this sphere. It is thanks to the practice of crime control that the store of scientific ideas grows, methods of scientific research improve and the practical work of crime prevention is enriched. We must stress the importance today of Lenin's ideas on the scientific aspect of practical activity. He said that the scientific aspect in any sphere of activity was the main one, because without science and a correct understanding of it there could be no properly organised practical work either. Therefore Lenin demanded that we learn to "put a value on science", to be guided by it in our practical affairs.[1] This proposition should be accepted by practical workers controlling crime as a guide to action.

The use of criminology in crime control, taken together with the concrete research and special theories of this science, can be united in a single concept—applied criminology. The recognition of applied criminology is connected first and foremost with the fact that in recent years it has become a powerful practical instrument and begun to influence more actively decision-making in the sphere of crime control.

Applied criminology performs the practical function of this science to a large extent. When we speak of criminology, we have in mind also criminological practice, which consists of the study of crime, its causes, the criminal personality. the carrying out by state bodies and public organisations of various measures aimed at preventing crime. Whether or not criminology performs its tasks successfully depends on the state of concrete criminological research. The development of applied criminology as a whole is characterised by the clearly expressed orientation on this research.

Stressing the role of applied criminology shows that criminology strives to be of practical use. However, for criminology to yield practical results, its theoretical propositions must be formulated in such a way that they can be related to practical aims (translated into practical language).

The study of what is theoretically possible in principle, the elaboration of fundamental propositions, remains the major task of criminology. From a multitude of theoreti-

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[1] V. I. Lenin, "Integrated Economic Plan", *Collected Works*, Vol. 32, 1965, p. 141.

cal possibilities, only those that meet the criteria of expedient, economical and humane crime control find practical embodiment. Moreover, not all the results of scientific research are passed on in good time to those engaged in practical activity. In view of these factors, it can be said that the problem of the relationship of theoretical and applied criminology extends beyond the model of "science and practice". A number of administrative and other questions arises here. In any case it must be remembered that the aim of criminology is a practical one.

The structure of the theory of criminology organically combines various theories, concepts, etc. It is, first and foremost, a general theory of criminology and its special theories. In view of the "differentiation" of criminology into special theories the base on which the general theory itself is constructed expands. But this differentiation is necessary if special criminological problems are to be considered on the base of special theories. Each of these theories has its own long and complex history in the development of criminology as an independent branch of knowledge. Equally complex was the understanding of the mutual relationship of special theories, without which none of them could be properly treated singly. But it must be said straightaway that whatever aspect is considered, we can speak in each concrete case only of the exposition and concretisation of a single theory of criminology, and not of the branching off of some of its parts. The isolation of this or that individual criminological theory, if taken independently of any other and turned into a kind of autonomous part, could lead to the loss of the inner connection of all the aspects and facets of criminology, to the erosion of its subject. Systemic integrity is characteristic of all theories of criminology.

Special theories include all those that form part (relatively independently) of the subject of criminology. The main special theories are: the theory of crime; the theory of the causes of crime; the theory of the criminal personality; the theory of the prevention of crime; the theory of criminological prevention; the theory of concrete criminological research; the theory of criminological forecasting; and the theory of administering the processes of crime control. These special theories are at the same time also the basic concepts of criminology. The latter are fully included in the science of criminology, of which they are also the subject.

4. THE PLACE OF CRIMINOLOGY IN THE SYSTEM OF SCIENCES

An assessment of criminology in connection with its place in the system of sciences

In order to determine the place of criminology in the system of sciences one must explain, firstly, its degree of "kinship" with other, particularly related, disciplines, and, secondly, its degree of independence. The analysis of these problems stems from the need to strengthen the alliance of criminology with other sciences, both juridical and non-juridical. The interaction of these sciences is dictated by the inner logic of the development of scientific knowledge, inter alia, in the sphere which we are studying, by the pressing tasks of theoretical and applied research in the sphere of crime control. As experience shows, new possibilities for fruitful research of both a theoretical and applied nature open up at the intersection of the different sciences. These possibilities should be fully exploited. Only on the basis of the closest interaction of criminological and other branches of knowledge and the union of this science with practice, can the tasks of crime control be solved successfully. Here criminology is considered precisely in the system of sciences.

Science is a complex, ramified and multi-level system of knowledge. Two large groups are usually distinguished in this unique metasystem: the social and the natural sciences. The structure of the social sciences consists, first and foremost, of the fundamental sciences that study individual spheres or aspects of social life. These are political economy, sociology, theory of state and law, and other branches of knowledge. Each of these fundamental sciences in its turn is a complex system of special branches of knowledge. Criminology forms part of the system of juridical knowledge (the system of such a fundamental social science as the theory of state and law), in which it is regarded as a special science. Consequently, criminology, being an independent branch of knowledge, is at the same time part of the system of sciences, interacting with other branches of knowledge.

Historical materialism studies social life as a whole and in the interaction of its various aspects. It examines laws which are general in varying degrees. By revealing the most general laws of the construction and development of society and analysing the place and role of each aspect of social life in the system of society as a whole, historical materialism performs the role of a methodology in relation to each social science. Moreover it serves as a methodology, first and foremost, for the fundamental sciences and through these sciences influences the whole system

of social knowledge. Therefore, criminology, for example, as a special science, is connected with historical materialism primarily through the theory of state and law. At the same time, because it is connected to a certain extent with other fundamental sciences, e.g. sociology, criminology is also "nourished" by historical materialism through these sciences. Moreover, as an independent science it cannot help basing its special research directly on the principles of historical materialism. As we can see, this methodological approach is fully in keeping with the system of sciences described above.

Thus, criminology is connected with many branches of scientific knowledge and, first and foremost, with sociology, law, economics, psychology and statistics. But criminology is not just connected with many sciences, it contains within itself elements of these sciences. Therefore we must find not only the points of "contact" of criminology with other sciences, but also the limits of its "encroachment" upon other sciences, and vice versa. In this connection we are fully justified in asking the question: should criminology, and if so to what extent, encroach upon the study of various amoral phenomena connected with different types of deviant behaviour and the prevention of such behaviour? The reply to this question can be summed up as follows:

firstly, criminology should "hand over" to other sciences for their more profound and proper study questions which are outside its domain (e.g. drunkenness, alcoholism, drug addiction, the behaviour of psychically abnormal persons, and other types of behaviour which are not classified as coming within the sphere of criminology and belong to the subject of other sciences);

secondly, criminology should "take" from other sciences its own specific questions (e.q. crimes committed through drunkenness, alcoholism, drug addiction, etc.). Criminology does not study drunkenness and alcoholism, but crimes committed through them. It studies not the behaviour of psychically abnormal persons, but the crimes committed as a result of such behaviour;

thirdly, this or that science, for example, sociology, psychology, psychiatry, which study various aspects of drunkenness, alcoholism, and the behaviour of the psychically abnormal, should pass on their achievements to criminology, particularly those concerning the causes of crimes and their prevention. Criminology, in its turn, should supply these sciences with the results of its research, mainly on questions

relating to the subject of these branches of knowledge. Obviously, this requires coordination and scientific cooperation.

At the juncture of criminology and other sciences many different problems arise. They include adolescent and juvenile delinquency (where pedagogics, for example, is essential), recidivist crime, female crime, etc. For both criminology and other related branches of knowledge scientific collaboration should take the form of further differentiation of their specific subject of research, further development and enrichment of their conceptual and categorial apparatus.

Determining the place of criminology in the system of sciences is also linked with the characterisation of the differentiation and integration of scientific knowledge. On the one hand, there is a differentiation (identifying) of the sciences linked with an increasingly profound delving into the processes of social development. This stems from the need to make knowledge more detailed, the growing need for specialisation in science. On the other hand, the process of the integration, expansion and deepening of the mutual influence of the sciences is developing. This explains the fact that, on the one hand, a differentiation of knowledge has taken place in criminology in recent years and new trends of scientific research have arisen, each of which can somewhat loosely be termed a teaching: crime prevention, criminological forecasting, criminal statistics, administration of the processes of crime control, etc. And on the other hand, these and some other scientific trends are based primarily on criminological theory and consider the subject of their research through the prism of criminology. Evidently this is a manifestation of the integration tendency. It finds expression in the strengthening of the relations of criminology with other branches of knowledge. Here we have the complex process of the mutual influencing and mutual enrichment of the sciences.

Criminology as a system. While occupying a definite place in the system of sciences, criminology itself is a kind of system. Although it is hardly possible to establish precise relations between the different components of this system (theories, ideas, and conceptions), there can be no doubt that these components are connected with one another and that criminology is not a jumble of individual theories or groups of theories. In order to be included in this science, this or that new theory, idea or conception must bear some relationship to the existing components of criminology, must

be integrated in the system. As a system of scientific knowledge, criminology includes a body of interconnected elements which consists of factual material, theoretical constructions, principles, laws and categories, hypotheses, corroborated conclusions, methods, methodology and technique of investigation accumulated during the relevant research. In other words, criminology as a system can be represented, on the one hand, by its theory, and on the other, by its applied section, where we are dealing with the practical application of the results of criminological research. This is how criminology presents itself as a system.

The interdisciplinary nature of criminology is expressed in the fact that it has two groups of interdisciplinary connections. One group of connections lies in using the methods of other sciences while avoiding contact with their subjects. The other group is expressed in direct "contact" of those branches of knowledge that study crime and its phenomena, and questions of prevention. This finds expression in the presence of and need for joint research on contiguous problems.

The method of criminology lies in the fact that it seeks to synthesise criminological knowledge, to formulate propositions not covered by other sciences. In so doing criminology makes most active use of the methods of various branches of knowledge. This is an expression of its interdisciplinary approach. But in any event the study of criminological problems is impossible without a synthesis of the knowledge acquired through the accumulation and unification of information from other spheres of science. This synthesis is called criminological synthesis.

The need for criminological synthesis is a logical consequence of the interdisciplinary nature of criminology. In this case the synthesis is necessary in order to elicit the general movement, general direction of knowledge with due account of the specific subject of criminology. Therefore, criminological synthesis appears, on the one hand, as a general principle, and on the other, as a basic method.

Criminology in the system of the social and legal sciences

Scientists frequently put the question point-blank: is criminology sociology or law? Obviously we must proceed from the fact that criminology is one of the prospective

border sciences of two vast branches of the modern system of knowledge—sociology and law.

The basic position of experts today is as follows: the connection of criminological science with society is such that it plays a direct part in solving problems confronting all the social sciences. Hence, the activisation of sociological research in the solving of legal problems. For the most part, however, criminology studies socio-legal phenomena of a criminal nature. It is a specific branch of knowledge (neither "purely" social, nor "purely" legal). However, this view of criminology requires certain amplification: stressing the social aspect of criminological problems ignores another important aspect, the legal one, whereas stressing the juridical aspect obscures the social aspect. Therefore in the criminological study of reality it would be wrong to ignore either the juridical or the social aspect. Law and sociology both contribute to the solving of criminological problems. It is their unity that determines the socio-juridical essence of criminology.

The criminal-law sciences are becoming increasingly "sociological". Here too a definite role belongs to criminology. It is a kind of "guide" to sociology in the sphere of the criminal law sciences, and to the latter in sociology. If one approaches the sociology of the criminal-law sciences as an objectively developing branch of knowledge and an aspect of research, one can say that its most important problem is the social conditionality of the relevant legal norms and legal relations which they engender. This is what determines the specific nature of the object of study that distinguishes the sociology of the criminal-law sciences from criminology. They are connected primarily through the policy of crime control.

As for the connection of criminology with sociology, here the following should be borne in mind. As we know, the subject of sociological research is the phenomena and processes of the emergence of various forms of communal life, the structure of various forms of human communities, the forces that unite and destroy these communities, and the changes and transformations in them. Here we can distinguish a series of specialised sections. Modern sociology distinguishes the following sections, sometimes called concrete sociology: the study of social institutions, which include family sociology, educational sociology, the sociology of

politics, the sociology of ideology, the sociology of art, the sociology of science. It also includes the sociology of law. In addition, it contains specialised research on sociological processes, such as the phenomena and processes of social disorganisation: crime, alcoholism, drug addiction, and so on. This is what gives some scientists grounds for calling criminology a part of sociology, criminal sociology. Can we recognise this position as correct? I think not.

Of course, the role of sociology in criminological research is very important. This is perfectly understandable. For crime is social in its very content. It is social because it consists of acts committed by people in society and against the interests of society. The criminal is, first and foremost, a person living in society. The causes of crime are also social in origin. The prevention of crime is essentially social. All this goes to show that criminology cannot be contained within the framework of juridical constructions and categories. That is because it studies its problems primarily in the sociological aspect, which is why it is closely connected with sociology. But this "sociologisation" does not lessen the role of criminology as an independent science. On the contrary, it enhances this branch, bringing it closer to life. In criminology the social aspect usually dominates. It is represented more widely than the juridical. But this does not exclude the juridical aspect.

Many trends in criminological research (criminal behaviour and its motivation, forecasting, prevention) are directly linked with trends of sociological research. But there is also the reverse connection: many trends in sociological research (the study of drunkenness, amoral behaviour in the sphere of sexual relations, and the so-called everyday crimes) are to a considerable extent based on the achievements of criminology. One could name many "overlapping" problems: vagrancy, parasitism, begging, crimes in everyday life, etc. In trying to solve them, criminology must take into account the influence of the whole system of concrete social relations on the objects forming part of its subject. With regard to sociology it should when necessary take into account the influence of criminological circumstances and features on the development of social relations. Otherwise it cannot make a sufficiently profound study of its problems.

Criminology and sociology are essential to one another. To say this is not to belittle the role of sociology. It has its

own research aims, just as criminology has its own. Each of these sciences also has its own subject. The methods used by them are generally the same. However, they are used with due account of the special features of the sciences in question and of the objects of their research. The need for the interaction of sociology and criminology as independent sciences is now universally recognised. This interaction is most fruitful, because both sociology and criminology (one could also mention some other sciences) have become aspects of the study of human behaviour that complement each other.

In the process of studying the causes and conditions of crime criminology makes use of relevant research material and methods not only of sociology and law, but also of other sciences. Every science relies on the achievements of other branches of knowledge and makes use of their methods. For the study of crime can be approached from various angles. Each science proceeds from its professional standpoint. Criminology does so too. However, it is a discipline that is capable of synthesising the results of different studies of crime. Herein lies its complex nature, which does not mean that criminology becomes a "part" of the sciences whose achievements it uses to study the objects in its subject.

One of the sciences the achievements of which are used by criminology is *psychology*. In can give criminology qualified assistance in studying the personality of the criminal and anti-social behaviour. Underestimation of this science produces "barriers" to the mastering of psychological material and relevant methods of research. Therefore criminology must always presuppose the consideration from its own standpoint of psychological factors influencing the behaviour of the individual, the study of the genesis of behaviour, personal characteristics, forms of perception, will, aspirations, intentions, desires, etc. An essential task of criminology is also the psychological analysis of such individual qualities as motivation, self-estimation, and authoritarianism. Here criminology focuses attention on the special features of the subject of its study.

One must bear in mind that psychology also deals with problems of the formation of human acts, the processes that take place in the psyche and find expression in individual actions. This research is of great preventive significance. In making use of the recommendations of psychology and basing itself on an analysis of the mechanism of functioning

of various anti-social manifestations, criminology offers its own solutions, mainly of a preventive nature.

Social psychology is the product of the interpenetration of sociology and psychology. Unlike sociology it does not study large-scale social processes and institutions which act for man as the objective conditions of his social existence. Social psychology studies group norms, interpersonal forms of communication, the state of the group atmosphere, group dynamics, group consciousness, values, needs, motivations and interests. Unlike psychology it explains average-mass normal and average-mass deviant conduct. It studies individual behaviour only in a concrete situation and envisages the analysis of the integration of the individual within the group. Studies of this kind are also extremely important for criminology, which, as we know, studies not only crime as a whole and individual personalities, but also group forms of anti-social behaviour.

Obviously an analysis of so-called group crime is impossible without scientific information as to how the people in a group and how groups treat one another, how the mechanisms of the formation of groups work, how people's actions in communal activities are explained, etc. The prevention of crimes committed by groups of persons (or in a group or team) must be based on the tenets of social psychology with due account, however, of relevant data that has been reinterpreted by criminology.

Criminology makes active use of the achievements of *pedagogics*. The subject of pedagogics is the all-round and harmonious moulding of the individual. The problem of the development of the individual, which lies at the juncture of many social sciences, is crucial to a number of general theoretical questions directly related to upbringing and education. Therefore criminology often turns to the tenets, conclusions and recommendations of pedagogics. This is connected, in particular, with solving problems of preventing various forms of deviant behaviour, including offences. A stronger connection between criminology and pedagogics would make it possible to apply modern methods of education more widely and effectively in crime control.

Criminology makes use of achievements of the most varied branches of knowledge: politics and economics, ethics and aesthetics, history and pedagogics, and a number of natural sciences. The experience of criminology shows that

some trends of *economic research* overlap with the theory and practice of crime control: the so-called crime budget, all types of embezzlement of state or public property, profiteering, etc. It is precisely in this sphere that the interests of criminology and economics meet. Criminology is bound to make use of the *conceptual apparatus of ethics*, when it studies the moral principles, norms and values that regulate relations between people. The criminological aspects of aesthetic education are analysed on the basis of the achievements of the *science of aesthetics*. A study of the laws of crime characteristic of the past is assisted by *history*. There is a special link between criminology and the *natural sciences*. Criminologists have long since noted the growing influence of mathematics and natural science on the theory and practice of crime control. In recent years *mathematical methods* adapted to criminological tasks have been applied increasingly widely. In a word, criminology as a science exists and functions within a system of sciences, in close interaction with the whole complex of sciences. In each concrete case this interaction is characterised by specific aspects of scientific research. It has different forms and scopes.

Criminology in the system of criminal-law sciences

The conclusion on the *unity of the criminal-law sciences* for all the diversity of their features proceeds of necessity from the dialectical unity of all the forms and methods of crime control. Before scientific knowledge about crime was differentiated it included nearly all the views on the phenomenon in question. In the course of the historical development of this knowledge criminological problems became increasingly clear (criminology was formed as an independent branch of knowledge), as also the problems of other criminal-law sciences—criminal law, criminal procedure, criminalistics and corrective labour law. The process of this differentiation, the formation of the criminal-law sciences as independent branches of knowledge have produced a certain demarcation between them, in which (although they might wrongly be thought to exist independently of one another) the connections between these sciences not only fail to be severed, but actually grow stronger. It is quite obvious that

a solution of the problem of crime control is impossible by the disconnected efforts of individual sciences. That is why these problems, like other problems of the criminal-law sciences, should be regarded from the standpoint of their unity.

Criminology plays a special role in crime control. But this does not mean that it can take the place of other criminal-law sciences, that it lays claim to their place. However, nor does criminology stand apart from these sciences. Today no criminal-law science can develop without criminology. But each criminal-law science naturally has its own specific method of research determined by the features of the actual subject which it studies and intended to solve individual tasks of crime control.

One of the approaches to identifying the subject of the criminal-law sciences is research on their interconnection and interaction, in the course of which the synthesising function of criminological knowledge, the science of criminology, is revealed. The interaction of these sciences is a most important factor of their actual development. Life shows clearly that criminological knowledge has always acted as a stimulus for other criminal-law sciences, equipping them with fruitful methods and ideas. In their turn, these sciences have repaid their debt to criminology. By enriching criminology with important basic concepts, they have exerted a positive influence on the development of criminological knowledge.

A major, if not decisive role in the interaction and interpenetration of the criminal-law sciences is played by criminology, which moulds into a single whole data from what would appear to be opposite branches of knowledge. This is dictated, first and foremost, by the growing influence of criminology on crime control, which in no way belittles, we repeat once more, the most important role of the other criminal-law sciences.

Let us dwell separately on the *connection of criminology with criminal law.* The point of departure of the classical school of criminal law was the thesis that crime was the province of the science of criminal law, all other branches of knowledge being considered supplementary, auxiliary. This attitude remained steadfast for a long time.

Today, however, as has already been noted, a different view predominates: the problems of crimes are studied by a

number of sciences, not only the juridical ones, but others as well that proceed from the same philosophical basis, form a system of sciences and are to a certain extent united in that they have the common goal of eliminating the socially dangerous phenomenon in question. But each of these sciences studies different aspects of crime and consequently proceeds from its own theoretical platform. The different sciences also use different research methods for this.

It is true that criminology and criminal law in a number of cases study phenomena designated by one and the same concepts, for example, the concept of a "crime" and certain others. It is criminal law that lays down what is a crime and who should be considered a criminal. For criminology, therefore, these concepts are binding and do not permit of arbitrary interpretation. Therefore the initial unit of criminological research is the concept of a crime as defined by criminal law. Bearing in mind also the task of controlling crime, which is common to criminology and criminal law, it can be said that here their resemblance ends. The methods of the two sciences inevitably differ.

The science of criminal law uses mainly dogmatic-legal, historical and certain other methods. Criminology, however, proceeds in the main from sociological, psychological and statistical standpoints and uses corresponding methods. This does not mean that criminal law does not study its problems from the standpoint of their social content. Research of a sociological nature is essential for this science too. But this applies more to the sociology of criminal law than to "dogmatic" criminal law. Generally speaking, criminology approaches the assessment of criminality, crimes and the criminal personality from social standpoints, and criminal law assesses them from legal standpoints.

The main difference in the methods of the sciences in question stems, therefore, from the difference in the functions of these sciences, the objective functions inherent in different types of social activity. Although crime control is a common social task, it is solved in the realisation of independent types of social activity: the first is legal (it envisages, in particular, responsibility for offences committed, if we have in mind the criminal-law aspect), and the second is preventive (it ensures the prevention of offences by the detection and elimination of their causes and by preventive action on persons disposed to commit offences; this is the crimino-

logical aspect). Criminal law operates only when a crime has already been committed. Criminology, however, concentrates mainly on the period preceding the offence, on preventing the offence from being committed. The specialist in the sphere of criminal law analyses the committed crime, proceeding primarily from the content of general categories laid down by law. These categories are indispensable and binding for him, because they form part of criminal law. The method of studying reality in this case is deduction from concrete facts, assessment of these facts. When, on the other hand, the criminologist encounters concrete facts of this kind, he is primarily concerned with their scientific generalisation, i.e., with finding out what unites them. This enables him to perceive the general features that have manifested themselves in the given facts and phenomena. His method of research is experiment, discovering the objective characteristics of facts and phenomena and obtaining on this basis general conclusions and propositions in the form of theories, hypotheses, etc. Moreover, the general categories of criminology act as scientific postulates, theories and hypotheses (criminology is an instrument for the cognition and change of social reality, of those of its elements that cause crimes); the general categories of criminal law are the cornerstone of legality and justice in the administration of socialist law (justice is the prime requirement of criminal law). The general categories of criminal law embrace the sphere of what ought to be, what should be. The general propositions of criminology embrace the sphere of the existing, of what actually is. Here attention is focused mainly on the question of how to change the existing state of affairs so that offences are not committed.

These are the similarities and differences between criminal law and criminology, their relationship. To divorce criminology from criminal law is to turn criminology into vague delictology,[1] and divorcing criminal law from criminology results in the dogmatisation of law.

Other sciences of the criminal-law cycle are also closely connected with criminology. In their research they do not confine themselves solely to the construction of purley legal conceptions. Their tasks also include a study of social condition-

[1] Delictology: teaching on offences, including crimes.—*Editor's note.*

ality of legal norms used in crime control, an analysis of the effectiveness of these norms, cognition of the laws of formation and deformation of the individual, his behaviour, etc. The criminal-law sciences carry out this task independently, but, as a rule, in accordance with criminological research, on the basis of the scientific propositions of criminology as a whole.

Corrective labour law, which is interconnected with criminology, draws up recommendations for increasing the efficiency of the correction and re-education of convicted persons and the re-socialisation of offenders during the serving of their sentences, and also for drawing up measures for preventing recidivist crimes. This interaction takes place mainly at the level of generalisation of joint research material on persons who have committed crimes. At the individual level, however, criminological data serve as a basis for corrective and preventive activity in relation to concrete individuals. Of course, this mutual interaction takes into account the specific nature of the activity of corrective labour institutions, their types, the classification of offenders (by sex, age, number of convictions) and a number of other circumstances. Special attention is paid to the specific nature of the preventive measures used for different categories of offenders after they have served their sentences. This is taken into account in administrative supervision and in the drawing up of criminological models of recidivist behaviour and forecasts of recidivist crime. In recent years a great deal of criminological research has been devoted to the problems of preventing crimes committed by offenders who have been sentenced to punishment other than deprivation of liberty, and the study of this category of persons. Criminological research is enhancing the role of corrective labour institutions in crime control. It is also influencing the further improvement of corrective labour legislation.

In the sphere of criminological research one frequently comes across phenomena related to the investigation of crime, *criminalistic* tactics and techniques. Therefore the analysis of the state of crime and generalised data on crimes and offenders also perform their criminological role on the level of criminal procedure law and criminalistics. Criminological data frequently serve as a basis for formulating tactical methods to be applied in the process of investigating crimes. It is here that the "boundary" of criminology with criminal

procedure and criminalistics lies. On the one hand, criminal procedure law determines the framework within which the investigation of crimes and also law enforcement activity take place; the norms of this branch of law also establish to a certain extent the limits of criminological research in this sphere. On the other hand, the results of criminological research have a certain influence on criminal-procedural legislation. However, this influence is felt only in cases where the need for a more effective procedural settlement of investigating crime and enforcing the law is revealed with the help of criminology. Here, too, one must bear in mind the role of criminalistics. Its main propositions are a point of departure, as it were, for identifying the forms of manifestation of crimes. It studies the devices and methods that serve crime detection (and this is already a preventive aspect). Criminalistics also makes use fairly frequently of the results of criminological research on the etiology of crime. Criminology in its turn makes use of the achievements of criminalistics for preventive purposes. The interconnection of these branches of knowledge is obvious.

Thus, we are dealing with related scientific disciplines. They all serve a common aim—the abolition of crime. However, criminology plays the leading role. It provides factual material which substantiates the establishment of principles of crime control that are in keeping with the requirements of society. Criminological material, particularly that of a forecasting kind, serves simultaneously as a guide in elaborating a system of crime prevention in general, and also prevention with due account of the special features of the different spheres of practical activity.

In the sphere of prevention criminology plays the main role. It does not simply perform a kind of registering activity (cognising the phenomena of crime, studying their laws, the causes of crimes and the persons who commit them), but also has a formative effect on the whole system of crime prevention. Prevention reflects the general practical trend of the science of criminology. Criminological research material provides a basis for organising crime prevention. The idea of prevention permeates the whole system of criminological institutions.

Criminology, being a general theoretical criminal-law science, is not the science of sciences and therefore does not absorb all other disciplines. It is a general theoretical juridical

science (within the system of criminal-law sciences) because it carries on research on a far broader basis than any other legal science. Consequently, criminology is a metascience. This is why it occupies a special place in the system of sciences that study crimes and criminality, the causes of crimes, the criminal personality, and crime prevention. Other sciences study only this or that aspect of crime. But criminology is called upon to create a single theory of crime, to generalise on a single methodological basis the material of the various sciences related to the problem of crime. It synthesises, as it were everything of value that has been accumulated on the problem of crime by other sciences and provides integrated knowledge of this phenomenon. It is this integrated theory which makes criminology a general theoretical science in the system of juridical sciences that study crime.

In the system of knowledge about crime general criminological theory occupies a central place. It is the basis of all scientific knowledge about crime. Other sciences, when elaborating this or that problem of crime, make use of the conceptual apparatus of criminology, and in some way or other "attach" their separate concepts on a given phenomenon to the system of basic criminological concepts. Moreover, the role of the mediator between general criminological propositions and research on questions of crime within the framework of other sciences is played by special theories: the theory of the causes of crime, the theory of the criminal personality, the theory of criminological forecasting, the theory of prevention, etc. The task of criminology, therefore, is to give theoretical assistance to other sciences, to create the necessary foundation for practical activity in the sphere of crime control.

Criminology is the basic science of the criminal-law cycle. As such, it influences the development of other sciences. The criminological platform can always be used as the point of departure when dealing with the theory and practice of crime control.

Thus, Soviet criminology has become established as a general theoretical Marxist-Leninist discipline of the criminal-law cycle of sciences.

CHAPTER II

CRIME AND ITS SOCIO-LEGAL ESSENCE

1. THE CHARACTERISTICS AND RELATIONSHIP OF THE CONCEPTS OF CRIME AND CRIMES

A general assessment of crime and crimes

The Marxist-Leninist assessment of crime is based on the fact that this phenomenon does not exist independently of the real world in which people live and act. It is socially conditioned. Crimes are committed by people. Therefore, criminology, in studying a concrete crime and analysing the psychological aspect of a human action, links it with the sociological aspect: it moves from individual actions to mass actions, to the content of social relations. All crimes are considered together and express a whole, a mass phenomenon. Any study of this phenomenon must embrace all the necessary aspects of human actions expressed in crimes. It is this mass phenomenon that we call crime.

One can easily imagine this or that concrete crime, particularly if one has witnessed it. But one cannot witness crime as a whole, as a phenomenon, and therefore it is hard to imagine the characteristics of the whole mass of crimes, of a thousand, a hundred or even ten crimes. This is an interesting contradiction. In assessing a single crime separately from crime as a whole, i.e., outside the system of social relations, we can get only a narrow idea of it. The object of attention will be an isolated person and his act. Crime as a whole will appear only as the mechanical sum of crimes. By assessing crime as a whole independently of individual crimes we lose the opportunity of seeing the foundation on which certain social relations arise and change. Taken individually, the aforementioned approaches are in fact mutually exclusive. Crimes and crime can be studied in their interconnection, in dialectical unity. However, these concepts have characteristic differences.

The crime as a type of offence

Any act forbidden by law is an offence; it is an unlawful act, a breach of the law. There are many types of them. They are classified, as a rule, according to the types of responsibility laid down by the law: criminal offences, civil, administrative, financial, collective-farm offences, etc. The degree to which they are socially dangerous varies. The most dangerous and serious type of offence is the criminal offence, or crime. It is therefore usually singled out of the system of offences, as a result of which the term "offence" is used in two senses: that of a crime and that of other unlawful acts. In assessing a crime, we speak of criminal behaviour. In assessing other infringements of the law, we speak of non-criminal forms of anti-social (unlawful) behaviour. The study of persons who commit offences (crimes) results in attention being switched from the offence to the offender (criminal). This is connected with the need to exert preventive action on a concrete person. A crime is followed by punishment of the criminal for the act which he has committed in accordance with his degree of guilt. But this is a special problem of criminal law.

Criminological assessment of crime

Under the influence of criminology an active study has been made in recent years of the various social aspects of offences, mainly their essence and nature. The point of departure is the fact that legal norms are an important form of a broader concept—social norms, and law and order are only part of a more general concept—normative social order. Consequently, offences are determined by legislation, but this does not exhaust their characteristics. For criminology people's actions are never seen only in terms of the law. This science is interested in a meaningful assessment of their actions. In providing one, we must not ignore the fact that the distinguishing line between crimes and other types of offences is deceptive and conventional. For this reason criminology studies not only crime in general, but also various social contradictions connected with deviant human behaviour (including unlawful behaviour). This is the sort of behaviour that can lead to the committing of a crime. For criminology the most important thing is an assessment of social relations as objects not only of legal, but also of social protection

Many human acts which are not defined by law cause social harm, because their criminogenic influence is sufficiently perceptible. Therefore criminology does not assess a crime only as one of the forms of offence. It connects it with anti-social behaviour in general, considers it as the final stage in the genesis of such behaviour.

A crime is usually preceded by committing a number of anti-social acts. It begins with the emergence of individual negative qualities, which manifest themselves in less dangerous acts, and then develops, becoming the logical consequence of such behaviour. But criminology itself "selects" these acts from life. This question is not dealt with by law. However the control of anti-social phenomena presupposes an appropriate juridical qualification.

The absence of such a qualification greatly influences the characterisation of offences. Moreover it is hard to give a correct political, as well as juridical assessment of actions that are on the border of violation of social, moral, administrative or criminal-law norms. One cannot institute criminal proceedings against someone for an act of little significance, or consider him a criminal (although he has violated the law), and there are many acts which should not be assessed as crimes. This would extend the range of acts regarded as crimes too far, distort the picture of crime, and influence the state of crime prevention. What does such prevention cover? Do misdemeanours belong to this sphere and if so which? Thus the customary assessment of an offence is most important, because it affects human destinies and determines the moral fabric of society.

The concept of the crime

What is a crime? It is a social phenomenon. It arises first when a state is organised, when people set up rules, the breaking of which is an act called a crime. The concept of a crime is a value concept. It is a definite quality, the sum total of a number of essential characteristics, such as social danger, illegality, guilt and punishability. It is an individual, conscious human act committed by people of sound mind who have reached a certain age. The decision in the mechanism of committing a crime is the decision of the choice between a crime and a legal action. Not only an action, but also omission can be a crime, however. In both cases a crime is

a variant of amoral behaviour which falls outside the normal rules. A crime always harms personal or public interests. This harm may be moral and material at the same time.

The concept of a crime as an act of human behaviour is defined by the state, proceeding from the interests of the ruling class, and changes as social relations change. The ruling class understands by this concept any encroachment on its interests and, first and foremost, on its rule in the society. The concept of a crime also covers encroachment on the law and order established by the ruling class, on the individual and property, in so far as such violations destroy the conditions of existence of the given society.

In accordance with the criminal legislation in force in the USSR a crime is a socially dangerous, unlawful, criminally punishable act which violates the Soviet social or state system, the socialist system of economy, socialist property, an individual, or the political, labour, property and other rights of citizens or which violates socialist law and order. It is easy to see that criminal actions are those which threaten the interests of the working people, the state and society.

A crime is usually considered from the following aspects: an act of human behaviour; a criminal act; a socially dangerous act; criminal illegality (a breach of criminal-law norms). The first two aspects (the act of human behaviour and the criminal act) are studied together, as a rule. An analysis of all these aspects as a whole gives an idea of the structure of the crime (*corpus delicti*). These questions are studied by the science of criminal law.

A crime, like any other individual act, has its own structure. It is considered as follows: the objective aspect of the act, i.e., the concrete actions (or omission) which were committed by a person, including the mode of action, the means used and the actual (or possible) results; the subjective aspect of the act, i.e., the motives, aims, degree of consciousness and awareness of the consequences, the nature of the volitional attitude to them (desire, assumption, etc.); the object of this act, i.e., the social value at which it is aimed, which it harms; the subject of the act, i.e., the person who commits it. All these elements taken together (the object and objective aspect, and the subject and subjective aspect) constitute *corpus delicti*. The absence of any of them

"destroys" the concept of a crime. Responsibility for the act begins only when *corpus delicti* is present.

One cannot regulate human behaviour without establishing and assessing responsibility for actions. The recognition of personal responsibility would lose all meaning if it were not engendered by the need to regulate social relations in a certain way, to certain ends. Every act must always be assessed in some way. However, one and the same action (or omission) may be assessed differently depending on the socio-class criteria of assessment. The criminal-law assessment of this or that action (or omission) depends on the attitude of the state to the fact that is being assessed. The objectivity of this assessment in the Soviet Union, where the law expresses the will of the people, corresponds to progressive social norms and principles. Thanks to this objectivity the criminal-law assessment of an action (or omission) helps people to correct their behaviour to meet social requirements. Individual behaviour is regulated mainly by law. Here the aim is not to allow a crime to be committed.

The afore-mentioned features of a crime relate mainly to the legal nature of the act. However, this does not in any way contradict the social nature of a crime. The juridical is always a form of the social. Therefore the view of the legal approach as formalism divorced from life is gravely mistaken. Given a correct understanding of the essence and role of law one can always see in it the expression of a definite aspect of social life, first and foremost, the political demands of the class which holds power. Obviously, legal features do not account for all the social characteristics of a crime. On the one hand, its social assessment derives from the juridical assessment, when it is a question of illegality, guilt, responsibility, etc. On the other hand, it takes pride of place when one is describing the causes and conditions of a crime, the person who committed the act, etc. In assessing a crime as a whole, it is essential to bear in mind its socio-legal nature, the interconnection of the juridical and the sociological. These circumstances determine the criminological approach to the study of a crime. It is important to draw attention to two things.

Firstly, from the juridical point of view, the criminological approach excludes the need to elaborate a special concept of a crime. The concept provided by criminal law includes all the legal features essential for criminology.

Secondly, from the sociological point of view, the criminological approach presupposes the analysis of a crime as a real social phenomenon. The concept of a crime is extended beyond the framework set by criminal law. Therefore the social content of a crime and its interconnections must be studied as an essential condition.

How are these two questions connected with criminology? In the first case a crime is considered as a criminal-law problem and in the second as a specifically social one. The second aspect prevails in criminology. It emerges in criminology in connection with the elucidation of the following questions: why does a person who is part of a system of values, norms, prohibitions and suchlike categories of the culture of his day commit a crime in spite of these commands and prohibitions; what conditions should be created to ensure that a person who finds himself in a conflict situation will be able to find a solution within the limits of social, moral and legal norms? The first question is considered by criminology in connection with the criminal personality and the causes of a crime. The solution of the second is of great importance for the prevention of anti-social behaviour.

The criminological study of a crime envisages a study of the individual who committed the act. The concepts "offence" and "offender" are assessed by criminology together, from the point of view of their social essence. Therefore it cannot be said that the crime is always more dangerous than the offender, or vice versa. There is no crime without a person, just as there is no criminal without a crime. From the standpoint of criminological science, therefore, they are equally dangerous. A crime manifests the relationship between an individual and society. Engels wrote: "The contempt for the existing social order is most conspicuous in its extreme form—that of offences against the law."[1] Here we have a clear definition of the social tendency of a crime and of the person who commits it. "The contempt for the existing social order" establishes a direct connection between the "offence" and the "offender". There are no contradictions here. They arise, as criminology tells us, between the criminal, with his crime, and society, as a result of the criminal's "contempt for the existing social order".

[1] Frederick Engels, "The Condition of the Working-Class in England". In Karl Marx, Frederick Engels, *Collected Works*, Vol. 4, Progress Publishers, Moscow, 1975, p. 425.

From crimes to crime

Composed of individual criminal acts, crime constitutes a phenomenon that differs greatly from its component parts. (The whole is always something bigger than the sum of its parts.) This phenomenon exists objectively in society.

How does crime differ from individual crimes? How is one to explain the proposition that phenomena taken singly have certain qualities, but when they are considered as a whole the qualities of this whole differ from the qualities that make up the parts of the whole? The answer to these questions is as follows: whereas each individual crime could have happened and could not have happened, could have existed and could not have existed, in other words is considered as an accidental phenomenon, as a fact, the sum total of these facts not only could but at any given stage of development of society was bound to happen. A concrete person may or may not commit a crime. Crime exists because people do commit crimes. The point here is that crime is a logical phenomenon for the concrete conditions of a concrete society. The necessary forces its way through a mass of accidents. The social law that forces its way through these accidents "is only visible when these accidents are grouped together in large numbers."[1] It is this interpretation of the relationship of crime to crimes that forms the basis of criminological theory.

Criminology treats a crime as a unique formation. Each crime taken separately exists in one "copy" and has different characteristics. Crime, however, is a set composed of all the individual events that together form the phenomenon. This phenomenon can also be considered as an individual object, but at a higher level. Crime by comparison with a crime can be seen as an individual object of a higher level. The individual object of the lower level (a crime) is considered as an accidental category. The concrete crimes which constitute crime are committed independently of one another and are of an accidental nature. But the individual object of the higher level (crime) is a conditioned, i.e., necessary category. Crime is characterised by the integrity, complexity, multiplicity and diversity of its connections with other so-

[1] Karl Marx, *Capital*, Vol. III, Progress Publishers, Moscow, 1974, p. 828.

cial phenomena. All this constitutes the qualitative difference between a crime and crime. The former is the individual and the latter is the universal. Lenin wrote: "... The individual exists only in the connection that leads to the universal. The universal exists only in the individual and through the individual. Every individual is (in one way or another) a universal. Every universal is (a fragment, or an aspect, or the essence of) an individual."[1] Consequently, crime (as the universal) exists only in concrete crimes (in the individual). Therefore the study of crimes is to a certain extent the study of crime. But this does not mean that a crime can be compared with crime. They are not two similar, and certainly not identical phenomena of different magnitude. A crime is never a diminutive version of crime. Crime has an independent form of motion. It also manifests connections with other phenomena that are not characteristic of the individual crime.

2. THE CONCEPT OF CRIME AND ITS SOCIO-LEGAL ESSENCE

The concept of crime

Crime is a collective concept. It is not a homogeneous phenomenon, however. In reality crime is characterised as a very motley sum total of different acts of individual criminal behaviour. Bearing in mind the unity of a crime and the person who commits it, crime should be seen as the sum total not only of crimes but also of criminals.

Crime "forms" a mass phenomenon, overcoming the individual features of crimes and criminals and at the same time developing universal, generalised features characteristic of the whole. It is not simply a sum, but an organic totality or aggregate characteristic of a certain territory and a concrete time. The concept of sum only determines the formal quantitative aspect of crime, but the concept of totality defines the qualitative aspect also. Crime as a phenomenon corresponds to the dialectical unity of all its features and qualities: crime as a mass phenomenon, as a phenomenon of a class society, as a social and as a legal phenomenon, crime

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[1] V. I. Lenin, "On the Question of Dialectics", *Collected Works*, Vol. 38, p. 361.

as a historically changing phenomenon. These features and qualities of crime determine its concept: crime is a relatively mass, historically changing socio-legal phenomenon, which is of a transient nature, a phenomenon of a class society which is made up of the sum total of actions forbidden by criminal law and committed in a given state at a given period of time. All the above-mentioned features and qualities of crime are considered as a whole and are essential. They characterise *corpus delicti*.

Crime includes not only crimes as such but also homogeneous groups of crimes. Therefore in this phenomenon one can find the general (crime as a whole), the particular (homogeneous groups of crimes) and the individual (a crime). It is also customary to categorise types and elements of crime. The definition of these concepts is of practical as well as theoretical significance.

Types of crime

Criminality, or crime, as a whole, is divided into two main types: primary (the sum total of first offences) and recidivist (the sum total of recidivist offences). Each of the types is further subdivided into male and female crime. Further, male and female crime are in their turn subdivided into adult and juvenile. Altogether (not counting crime as a whole) there are fourteen types of crime. Each of them contains different groups of crime. This classification helps to make the study of many problems more concrete.

There is also the concept of *elements of crime*. In the literature frequent mention is made of three such elements: condition, structure and dynamics. This ignores another element—the level of crime. Each of these elements has its own concept.

The *condition of crime* is the number of crimes committed, and also the number of persons committing them on any given territory over a concrete period of time. The indices of condition are expressed in absolute figures only. However, when speaking of crime as a whole and making a general assessment of it, it is sometimes permissible to use the term "general condition of crime". The meaning of this term is basically a simultaneous assessment of all four elements of crime.

The *level of crime* is sometimes called the coefficient of

crime. The level of crime is calculated from the number of crimes committed on any given territory over a certain period of time in terms of the number of inhabitants, for example, per ten thousand or per hundred thousand of the population. The level indices are expressed in relative figures only. For a more precise definition of the level of crime one must take into account not the whole population, but those age groups the members of which can be prosecuted for a crime under the criminal legislation. Frequently calculations take into account only the "active" section of the population, i.e., they exclude not only children, but also the "elderly" section of the population, insofar as such persons are responsible for a very small percentage of offences committed.

The *structure of crime.* Since crime is not merely the sum total of individual crimes, there exist "relations" between them. The sum total of crimes and the "relations" between them are the crime structure. It determines the percentages of the different types and categories (groups) of crimes in relation to the total of all crimes committed on any given territory over a specific period. Whereas the condition and level express mainly the quantitative aspect of crime, the structure expresses the qualitative, for the most part. With the help of all these elements (condition, level and structure) the quantitative and qualitative characteristics of crime are determined. To understand the structure of crime is to discover the most important aspect of the essence of this phenomenon. This task cannot be solved without a structural explanation. It consists of two main problems: explaining the inner aspects of crime, the interconnections ("relations") between crimes, the way of combining them into a single whole; and determining the degree of social danger of crime and establishing its place in the system of social phenomena as a whole.

The *dynamics of crime.* This element characterises crime in motion (change) over a concrete period (for example, five or ten years). Usually the concept "dynamics" is used to mean only the dynamics of the level of crime. But this is a narrow definition of the concept. In the broad sense "the dynamics of crime" covers the movement of all three elements of crime: condition, level and structure. Therefore one must always define precisely what one has in mind: the dynamics of the level, of the structure, or of the condition, or the dynamics of any two elements at once, or the

dynamics of crime as a whole. This precision is essential, first and foremost, to solve the practical problems of crime control.

> Crime is considered in motion and change. Time is a constant attribute of this phenomenon. For a scientific study of crime it is essential to know how the phenomenon arose, what are the main stages in its development, what it is now and what it might become in the future. Therefore the condition, level and structure of crime, taken apart from its dynamics, are a mere photograph of this phenomenon in its static state. Moreover attention is focused on that aspect of the phenomenon which characterises its relative stability. It is the dynamics which enable us to explain not only the condition, level and structure of crime, but also its movement, connection, the continuity between the different conditions of the phenomenon at different periods of time, the change from one condition to another which "grows" out of it but is qualitatively different from it. It becomes possible not only to analyse the condition of crime in the past and present, but also to compile forecasts for the future. The condition, level, structure and dynamics of crime are indissolubly connected. Theyare considered together.

Crime as a socio-legal phenomenon

Criminology considers crime as a phenomenon of social life and studies it from this aspect, without ignoring its legal characteristics. Crime is a negative social and legal phenomenon, dangerous for society. The social and legal aspects are the two aspects of crime that represent its indivisible unity. Crime is an objective social reality. It is social because it is made up of acts (crimes) committed by persons against society. The sociological approach makes it possible to explain the historical conditioning of the existence of crime, to reveal its social essence. And the social essence of crime consists of its anti-social character, its opposition to the class interests of the working masses.

Crime as a socially determined phenomenon depends on conditions of the life of society. But the conditions of the "legal regime" also play an important role here. Acts (crimes) committed by persons against society have legal characteristics, they are described in the law. These acts are a violation of legal norms. It is from this that the legal essence of crime derives. This is what makes crime a legal phenomenon. Consequently, the study of crime demands both sociological and legal research.

The essence of crime. Criminology considers crime as a phenomenon, as a developing, integral organism. This organism is analysed mainly on two levels: the social and the legal. But this does not mean that we can present a double description of crime and its essence—as legal essence and as a social essence. The essence is always an inner and single characteristic of a phenomenon. We cannot say that the inner essence of crime is social, and the outer essence legal. This phenomenon has no first and second, no inner and outer essence. Nor does it have a material and immaterial essence. Crime has a single essence, which is socio-legal.

The essence of crime does not mean that all the "indices" of the existence of this phenomenon are reduced to it. The essence is deeper and the phenomenon richer and more diverse, but they are interconnected: the essence always manifests itself and determines the phenomenon, and all phenomena exist not in themselves, but in connection with the expression of their essence. Therefore we must not divorce the essence of crime from its existence and regard the former as social and the latter as legal, or vice versa. The social and the legal in crime are merged into one, insofar as there is no essence of a phenomenon without its existence, which is the main manifestation of its essence. And there is no existence of a phenomenon without its essence, which ensures and determines the existence of the phenomenon. Essence, although stable in relation to a phenomenon, is constantly changing (it changes itself and the idea of it changes). Lenin wrote: "...Not only are appearances transitory, mobile, fluid ... but the *essence* of things is so as well."[1]

Thus, crime has single essence, and with its change or disappearance the phenomenon in question changes or ceases to exist. Essence is the inner determinateness of crime as a phenomenon. The essence of crime is the element that lays the foundation for research into all the other aspects of this socio-legal phenomenon.

Crime as a system

The essence of any complex object is revealed by its study as a system. However, objects (phenomena, processes) that are systems may be studied as systems or not as systems. This

[1] V. I. Lenin, "Conspectus of Hegel's Book *Lectures on the History of Philosophy*", *Collected Works*, Vol. 38, p. 254.

is also true of crime as a socio-legal phenomenon. The fact is that the concept "system" is used very widely today, and the word "system" has many meanings. In order to answer the question "what is a system?", we must first know how it differs from a non-system. Let us take the example of crime. It can be represented as a simple sum of crimes, a summative set, and as such crime is not a system. But crime can be represented as an integrated unity of the sum total of crimes, or as an integral formation of the elements that compose it, its components. From this example we can see that the difference between summative and integral sets lies in the phenomenon of integration. It is integral wholeness or integral unity that is the basic feature of a system. From this example we can conclude that crime may be studied as a system and as a non-system.

> Every phenomenon has many qualities and dimensions. It can be studied from different aspects and in different relations, and its "many-sidedness" increases if it is considered together with the causes and conditions that engender and determine it. Therefore there inevitably arise problems of the synthesis of the different aspects of knowledge, problems of bringing it together, of organising different knowledge about phenomena into systems of knowledge about them. The system is the uniting of the parts into a whole, and consequently the laws of uniting parts into a whole must be discovered. At the same time a system is a whole itself, and this means that we must discover its foundations, the laws of its structure, functioning, movement and development. Thus, the actual finding of a real system and the definition of it as a concrete interconnected whole creates a definite logic and methodology for its qualitative research and develops a systems-centric view of the phenomena. The social system, for example, is life itself, development itself, although not boundless development. The social system (society as a whole, production as a whole and its individual spheres, the social sum totals, etc.) is a system that is self-reproducing and constantly renewing itself, and the causes for this self-renewal lie within it, in the contradictions inherent in the system. Crime is a social system. It possesses all the features of a system. Hence the need to study it as a system.

Crime is characterised by a number of interconnected elements. It possesses a structure. Interacting with the environment, crime can be considered as an element of a system that is higher and broader than the environment (the social system of society). The types of crime (conventionally elements) possess the qualities of a subsystem in relation to it. Individual crimes may also be regarded as elements of crime. On this level crime itself as a system is the interconnection of

the elements which form it, their wholeness. Crime is dynamic, i.e., it is constantly changing under the influence of external conditions, of the "global" social system. As an element of this global system crime reproduces itself in a certain way, changing endlessly. With the change of crime as a whole, its elements also change (modify). With the change of the elements, the individual crimes and types of crime, crime as a whole also changes. "External" and "internal" changes take place in crime as a phenomenon.

Crime is a special phenomenon possessing qualities that differ to some extent from those possessed by each of its elements (and sometimes also qualities that are absent in one or even several of its elements). It is a negative social phenomenon which has a negative effect on society. Therefore the qualities of other social systems (from the viewpoint of their value to society) never coincide with the qualities of crime as a system. In changing crime by its influence, society takes all possible measures to gradually "destroy" crime as a phenomenon. Thus, with the passage of time, crime "givs-up" its place in the global social system to other, positive, phenomena. These phenomena develop and "evict" crime from the global social system. Thus, there is a kind of antagonism here between crime, on the one hand, and other (non-criminal) social systems, on the other. It is crime control that promotes the "eviction" of this phenomenon from society.

Latent crime

It is customary to regard as latent those crimes that are concealed from bodies empowered by law to investigate or consider cases of crimes committed, not detected by these bodies and not recorded as criminally punishable offences. In this general concept three groups are distinguished: natural latency, border latency and concealed latency. The first group are crimes which are not known to representatives of institutions and organisations or individual persons. The second group are cases when the fact of the crime is discovered, but for various reasons it is not regarded as a crime by the person who discovers it. The third group are crimes which in violation of the law are not recognised as such and which are not recorded, but concealed by officials. Concealed crimes represent a considerable totality and taken together form latent crime.

The question of the dimensions (scope) of latent crime has been little studied, although this problem attracts the attention of specialists the world over. To establish and assess the dimensions of latent crime is considered by specialists as the only possible proper assessment of crime in general. Some specialists maintain that in capitalist countries the police detect only one in twenty crimes; others estimate that of each fifty persons committing a serious crime only one is punished; yet others compare crime with an iceberg, of which only the tip represents known offences.

The problem in question is being studied by Soviet criminologists too. Special research is being carried on and ways are being sought for reaching the most objective assessment of this phenomenon. It is considered that factual crime is always higher than detected crime, which is considerably higher than the number of prosecutions, and this figure in turn is always bigger than the number of convictions. It is also noted that statistics do not give a full picture of crime, for they deal only with crimes which are known to the authorities, and the so-called "concealed figures" are only approximately estimated. One can reduce the sphere of latent crime by encouraging the reporting of crimes, and also by increasing the effectiveness of investigation, but all the same latent crime remains a significant factor. And, of course, at the criminological level the problem of latent crime consists in elucidating the actual parameters of crime, determining the differences between these parameters and the statistical indices produced by the bodies of criminal justice. An active search for a solution to this problem is essential.

The existence and dimensions of latent crime as a whole and its various types are determined by various causes. We would note, however, that absolutely full and accurate data on crime can never be obtained. Even the law provides for cases when criminal proceedings are instituted and, consequently, a crime is counted as such only on the testimony of the victim. We must also remember that there are crimes which are as a rule tried by courts without the holding of an inquest or preliminary investigation and of which, therefore, some are not counted as such. Crime statistics do not contain full information about crimes tried by commissions for minors' affairs. Finally, a certain section of crimes are not recorded with the state bodies that control crime due to the irresponsible attitude of officials to their duties. There are also such

causes as unjustified decisions not to institute criminal proceedings, unjustified verdicts of "not guilty", etc. Therefore in studying crime as a whole one must take into account the factors of latent crime, but not exaggerate them.

Some specialists take the view that crime as a social phenomenon can be understood on the basis of information about all the facts that form this whole. To our mind, this is not quite so. All possibilities exist for a sufficiently accurate description of crime. We must take into account that the characteristics of latent crime are evidently relatively stable and change as slowly as those of recorded crime (and parallel with them). There can be no doubt that individual characteristics of crime are to some extent distorted because of latent crime. But if in the study of crime one makes use of the data not of the general totality (which is by no means compulsory), but of sample material, these distortions can be avoided. For an analysis of any phenomenon it is not necessary to possess all the data about it. It is important to determine the most effective means of cognising its essence. Mathematical statistics provides such means as a sample method on the basis of which for a "restricted" number of units (sample set) one can compose an accurate description of the whole mass of units studied (general set) and in the given case—the whole of crime (taking latent crime into account).

The conditioned nature of crime

Crime is conditioned by social relations. Social relations and their interconnection are factors that form definite phenomena in society and determine their systematic and recurrent manifestation. Consequently crime, as one of the phenomena of social life, is also a law-governed phenomenon. It is important, therefore, to take into account the interconnection of the various conditions in which crime manifests itself. And it is essential in the broad meaning of the word to see and detect all the phenomena of social life that determine the existence of crime. For crime is closely connected with the various phenomena of social life. Almost all spheres of social life are interconnected, and almost all of them also reveal a connection with the negative phenomena of social life, with crime. Crime, engendered by the conditions of so-

cial life, is a specific phenomenon in which a special type of behaviour, which deviates from the requirements of society, is expressed. It is regulated by the law and, consequently, has definite "limits". It is a specific part of the universal interconnections in society. Therefore it is necessary to select from the complex chain of social phenomena those which are directly connected with crime. Only then can we speak concretely of the contradictions between the person committing the crime and society.

It would, however, be wrong to connect crime "directly" with the main laws of the development of socialism and with those of its contradictions that arise in the process of social development. One can speak only of contradictions which arise in connection with the non-acceptance by individual persons of the principles of the socialist system, the socialist way of life, socialist legality and law and order. With regard to the commission of a crime, one can speak of the existence of a certain degree of antagonistic opposing by the individual of his action and mode of behaviour to socialist principles and norms of behaviour; this tendency may be called anti-socialist. Consequently, in the process of criminal behaviour unique antagonistic contradictions arise between the individual and society.

These contradictions can be overcome in principle. They can be solved by appropriate state and public measures. A special role in this process is played by the prevention of anti-social behaviour. It is in the process of prevention that the contradictions which have a determining influence on the formation of criminal behaviour must be established, revealed and overcome. To establish these contradictions is by no means an easy task. It is difficult to discover in the complex chain of the interconnections of crime the appropriate causal connection in its direct and unambiguous form. It should not be forgotten that we are dealing with human behaviour that has been formed on the basis of the interaction of social relations and the individual. This interconnection is a universal law. Therefore we must reveal the special features, the specific laws that manifest themselves in the regularly recurrent interconnections of concrete conditions: of social relations as the external factor and of the individual as the internal factor. There is special scope here for criminological research from the viewpoint of the categories of Marxist-Leninist philosophy. Moreover

an analysis should be made not only from the viewpoint of what has preceded the emergence of these contradictions, but from that of their consequences for society.

The consequences of crime

The consequences of crime can be very varied indeed. They penetrate and make themselves felt in many spheres of the life and activity of society: ideological and political, economic, moral, legal, labour, everyday, family, school, etc. But to some extent they all have a social significance. Obviously not all the harm that is done by crime can be calculated or expressed in some kind of numerical form. Many of the consequences, because of their "insignificance", are not taken into account, and it would be impossible to take them all into account. However, they all harm society, all have a certain amount of negative influence on social relations. In all cases society suffers losses in connection with crime. These losses (the consequences of crime) may be direct or indirect. The former are directly linked with crimes (depending on the object of the crime), and the latter indirectly (expenditure on crime control, moral harm, etc.). Both the direct and the indirect consequences of crime should be regarded as undermining phenomena. Therefore an assessment of the consequences is connected with a study of the "safety level" of society.

The concept of this safety includes both the social and the individual levels. Here, of course, use must be made of the numerous social indices and different methods of assessment: public opinion, the "disturbance level" of members of society, the "safety level" of society and its members, etc.

In taking the dynamics of crime into account, one must bear in mind not only its immediate, but also its long-term consequences. Will social relations change in connection with crime in the future? How will these relations change? These are the main questions, the solution of which is a matter for the sphere of administration, the regulation of social interconnections. As Marxism teaches us, we must take the long-term social consequences of human activity into account. In this sphere, wrote Engels, discussing the useful effects of labour, we are gradually learning to explain the indirect, more remote social consequences of our activity by means of long, often bitter experience and by comparing

and analysing historical material, and thereby "we ... are afforded an opportunity to control and regulate these effects as well".[1] This Marxist proposition is also of methodological importance for the study of the problems with which we are concerned.

Crimes do not only do moral damage to society (this is a special problem). Frequently the harm is directly expressed in damage to people's health. Sometimes it affects their psyche. Occasionally crimes are connected with loss of life. The consequences of crime also effect social interests: political, ideological, legal, ethical, aesthetic, etc. Crime is objectively aimed against social values.

Socialist society regulates human relations, ensuring their safety, protecting them against criminal acts, and striving to satisfy ever more fully the interests of the people, to create the most favourable conditions for the development of the individual. This is why social relations and interests, social and spiritual values are protected by law. Criminal infringement of them is a criminally punishable act. The consequences of these acts are material, moral and political harm. A thorough and profound criminological study of crime is bound to take these considerations into account.

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[1] Frederick Engels, *Dialectics of Nature*, Progress Publishers, Moscow, 1974, pp. 181, 182.

CHAPTER III

THE CAUSES OF CRIME AND SOCIAL CONTRADICTIONS

1. THE CAUSES OF CRIME, ITS LEVEL AND GENERAL DESCRIPTION

The causality and causes of crime

The problem of the causes of crime is a central one in criminology. Today it not only retains its importance, but has become incomparably more pressing than ever before. This is explained by society's growing intolerance of crimes, the need to discover and remove their causes and conditions and to prevent the committing of crimes. This "eternal" criminological problem which, unfortunately, has not yet been fully solved, is constantly being interpreted in different ways. In practice no criminologist can get round this problem without expressing his views on it Some criminologists maintain that there are no social causes of crime in a socialist society. Other argue that such causes are present under socialism and regard the standpoint of the former as unwilling recognition of the biological causes of crime.

The study of any social phenomenon is closely linked with an analysis of the character of the socio-economic formation which gave rise to the phenomenon in question. Therefore, in studying the causes of crime, the following must be taken into account: firstly, crime emerged with the appearance of private property and the class state; secondly, crime reaches the culminating stage in its development under imperialism; thirdly, under socialism crime loses its basis and gradually dies away; fourthly, under socialism there are no antagonistic social relations which could engender crime. But all this does not mean that under socialism the problems of crime have disappeared and that there are no difficulties in con-

trolling this phenomenon. Socialism cannot get rid of all the defects of the old society immediately. We must not forget that socialism has the "birthmarks" of capitalism from which it emerged. Crime is not engendered by socialist social relations—it is a phenomenon rooted in the past. Under socialism the causes of crime as a phenomenon change at different stages, acquire a different complexion as compared with the past, and have features characteristic of the present period. Hence the importance of a constant, continuous study of crime and its causes. The need for such a study with due account of social interconnections and the internal and external contradictions of crime, is dictated by life itself.

A general definition of the causes of crime, assessed as the initial scientific standpoint, is basically that by a cause we mean a phenomenon (or a set of interconnected phenomena) which engenders, produces another phenomenon (phenomena) that is considered in these cases as a consequence (or action). The cause creates the possibility of a definite consequence, for the onset of which certain conditions are also necessary. In themselves these conditions cannot engender, produce the consequence, but in an appropriate situation (circumstances) they promote the realisation of the operation of the cause. However, in studying the problem of the causes of crime we must take account of the different types of connections: structural connections, functional connections, genetic connections, causal connections, etc. Some of them have common features, but all invariably possess special features of their own. In studying the causes of crime, specialists usually concentrate on causal connections. But to do so to the exclusion of all else is mistaken. The scientific study of such a complex subject (phenomenon) as crime does not allow one to confine oneself to consideration of the causal connections alone. This can lead to isolation of individual phenomena, divorcing them from their interconnections with other phenomena within the whole. In studying crime we must not see one connection only—the connection between cause and effect. Engels wrote that if we consider individual cases in their general connection with the universe as a whole, our ideas about cause and effect "are eternally changing places".[1] In such cases cause and effect act as one, replace each other and are sometimes indistinguishable. They are characterised by their common nature. The essence of a phenomenon, therefore, can be discovered by an analysis not only of its causes, but also of their effects. This is also true of crime as a phenomenon.

Certain causes always produce certain effects. However, in providing an initial assessment of the causes of crime,

[1] Frederick Engels, *Anti-Dühring*, Progress Publishers, Moscow, 1977, p. 33.

it must also be noted that the causes of social phenomena develop in different aspects and lead to different effects. The cause does not simply precede the effect in time, but to a certain extent imprints its nature on it (on its essence). Thus the problem is to discover the causes and estimate the possible effects. Here the question of causal connections arises. Criminology studies them as general connections. Causality is the constant connection between cause and effect. But this is not treated, of course, as a functional connection of phenomena. In criminology the causal connection is characterised by certain features, which taken together are inherent only in this type of interconnection of phenomena. Causality, considered in the broad sense of the word, includes the following concepts: cause, condition, effect (result), connection between cause and effect (condition and cause, condition and effect), and the feedback between effect and cause (conditions). As we can see, we are dealing here with general connections. And it is these connections that characterise crime.

Causes and conditions

First and foremost, we must consider the connection between the concepts "causes" and "conditions". As has already been mentioned, a cause is considered in the system of the necessary connection of phenomena, of which the one (the cause) determines, engenders the other (the effect or action). We can therefore speak, firstly, of the causes of crime and, secondly, of the causes of a concrete crime. In the first case, the cause (causes) engenders an effect (crime as a phenomenon). In the second case the cause (causes) engenders an action (a crime, a concrete act). The causal connection is a special form of law-governed interconnection, for the emergence of the phenomenon manifests itself in it. However, the operative factors in this process are both causes and conditions. This is because in different social phenomena one and the same condition can be considered as a cause and can remain in the capacity of a condition. This must be taken into account both in a study of the causes of crime as a whole, and in an analysis of the causes of concrete crimes. But the following must also be taken into account: causes and conditions are not identical categories, although they are not opposed concepts, since a cause manifests itself through conditions

in the course of their mutual influence. While pointing out that the differentiation of causes and conditions is of considerable theoretical and practical value, Soviet science recognises that this differentiation is relative. Any cause is in a certain sense a condition, and any condition in another sense can be a cause. This does not mean that there is no difference between causes and conditions. The conditions that play a role in any phenomenon are not always qualified as causes. Thus, there are similarities and differences between causes and conditions.

We can speak of numerous conditions, the movement and mutual influence of which result in the fact that a certain condition or set of conditions exerts a stimulating effect, giving rise to new phenomena and becoming their cause. For example, parasitism and vagrancy give rise to drunkenness, through which many crimes are committed, and become the cause of drunkenness and the cause of these crimes (together with other causes, of course). But at the same time the other conditions which play a role in the emergence of the phenomenon do not join in the direct causal connection and remain simply conditions. For example, the unsettled life of migrants leads to parasitism, vagrancy and drunkenness. As a result of this (and due to other causes also) crimes are committed, although the condition in question (the unsettled life of migrants) is not a cause of these crimes, but merely a condition. One must also bear in mind that the conditions, together with the causes in the narrow sense of the word, form the so-called complete cause of this or that effect. This cause may sometimes be called the total cause. There are also specific causes—these are a set of special conditions taken as a whole. Conditions are usually subdivided into the following groups: accompanying (these form the general background of the events and phenomena, circumstances of place and time, etc.), necessary (without these the event could not have happened), and sufficient (these are all the essential conditions taken as a whole). When all these conditions are present, we can speak of them as a complete set. These concepts are used widely in criminological research.

Criminogenic and anti-criminogenic factors

A correct definition of the concept "factors" is of considerable importance for an analysis of the causes and conditions of crime.

In this connection it must be said that the question of crime factors was raised long ago in Soviet criminology. The problem is to explain which factors belong to the criminogenic group (which encourage crime) and the anti-criminogenic group (which oppose crime), how these factors affect the phenomenon in question, what is the relationship, role and degree of action of each factor and group of factors, etc. By factors we mean this or that phenomenon or process, but not causes and conditions.

The concept "factor" means simply that a phenomenon has a certain importance, an influence on the course or results of a process. Obviously this concept cannot explain the importance of the factor, its influence. Therefore in the process of research (at its first stage) this concept is generally used only for initial, general guidance in the range of interconnected phenomena and processes. But at the next stage of the scientific investigation the interaction of the factors discovered is revealed and the transition made to the study of functional, and then causal dependencies between them. This makes it possible to establish the importance of the factor and the degree of its influence. Bearing in mind this interpretation of factors, philosophers, sociologists, economists, demographers and representatives of other social sciences regard as factors the different aspects of social life and social development: socio-economic, scientific and technological, demographic, etc. Many jurists, including criminologists, adopt the same standpoint. Therefore, in relation to criminological research it is customary to distinguish such factors as urbanisation, migration, birth-rate, change in the sex and age structure of the population, free time, employment of women in social production, the educational and cultural level of the population and many others. We can speak of a whole set of factors. But the main point is obviously to understand what we mean by a "factor".

A set of criminogenic and anti-criminogenic factors is a kind of "background" of social development, against which the changes in crime take place under the influence of criminogenic and anti-criminogenic factors. Without this

"background" a profound and thorough study of crime is inconceivable. It is an initial "dimension", as it were, which forms the basis of criminological research, which ensures that crime is studied against the "background" of the changes taking place in social life and social development.

Of course, the mechanism of the impact produced by factors on crime is extremely complex. Therefore we can often speak only conventionally of the influence of this or that factor, because the positive or negative influence of any one aspect of social life (phenomenon or process) depends on a concrete combination of factors. Criminogenic factors in themselves do not engender crime. The action of these factors, and sometimes also the influence of the effects of their development, is expressed in the fact that they objectively promote crime, facilitate its existence. This takes place alongside the operation of anti-criminogenic factors which objectively promote the reduction of crime. The task of criminology is to give a precise definition of the system of criminogenic and anti-criminogenic factors, to establish their interconnection in each of these main groups, and also the interconnection between the groups, and the degree of influence on crime of each factor and each set of factors. The complexity of assessing the factors that influence crime and lack of knowledge about the mechanism of their operation are not sufficient reason for refusing to analyse (albeit in most general form) the different aspects of social life from the viewpoint of their criminogenic or anti-criminogenic importance.

The circumstances (situation)

The concept "circumstance" is generally used when we need to express that which has arisen concretely, developed at a given moment "around" this or that person. Therefore this concept to a certain extent resembles the concept "situation" which means a position, a set of circumstances. However, the concept "situation", to our mind, is broader and less concrete than that of circumstances. Circumstances are related, as a rule, to a concrete person, to his actions. This is the external "factor" that may be called the objective content of a person's concrete surroundings at a given moment. "If man is shaped by his environment, his environ-

ment must be made human."[1] In precisely this sense the solution of the question is connected with man, with a concrete individual and his surroundings. Therefore criminology, in discussing the causes of crimes relating to the individual, speaks of "external circumstances", of the fact that a crime may be committed because of an unfavourable combination of circumstances, that the committing of a concrete crime is sometimes promoted by chance circumstances, etc. A person may rise above the circumstances and no crime will be committed. The reverse may (and often does) happen. For all that it is concrete circumstances that influence the choice of a version of behaviour, but they are assessed by the person himself. Therefore we use the concept "circumstances" in relation to a concrete crime only, speaking also of causes and conditions. In so doing we do not ignore the great similarity between "circumstances" and "situation". This approach to the problem will, to our mind, help to make the relevant criminological research more concrete.

Levels of causes of crime

It is the task of criminology to study the causes of crime as a whole (at the level of the general), the causes of the separate types of crime (at the level of the particular) and the causes of concrete crimes (at the level of the individual, the singular). At the level of the particular we can study not only separate types and categories, but also groups of crimes (for example, crimes for personal gain, crimes of violence). Some types of crime when taken independently are also studied at the level of the general: for example, juvenile delinquency, recidivist crime, female crime. In these studies also, as in the study of the separate categories and groups of crimes, all the afore-mentioned levels, general, particular and singular (individual) are taken into account. The problem of the relation of these philosophical categories to the causes of crime is a major one for the theory and practice of criminology. It is particularly relevant in connection with the differentiation of measures to prevent crime and anti-social behaviour.

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[1] Karl Marx and Frederick Engels, "The Holy Family or Critique of Critical Criticism". In Karl Marx, Frederick Engels, *Collected Works*, Vol. 4, p. 131.

The evaluation of these concepts in relation to the problem of the causes of crime proceeds from the relationship of philosophical categories of the general, particular and singular (individual). Therefore the question of the greater or lesser importance of any of these categories cannot arise. For criminology it is equally important to know the causes of crime in general, the causes of individual types of crime and the causes of a concrete crime. Moreover, it must be borne in mind that the analysis of the "singular" lies at the basis of a study of the causes of crime as a whole. Research always begins with the individual, the singular. In order to make a profound study of the general, it is essential to "tear" separate phenomena "out of the general interconnection" and consider them in isolation,[1] moreover, the "individual" is studied in connection both with the general and with a part of the general. Causal dependence exists not only between the whole and the parts but also between the individual parts or groups of parts. It is only natural that such a complex interweaving of the causal relations of crime (if we are speaking of the criminological aspect of this philosophical proposition) includes both necessary and chance causes. The necessary causal relations interweave with chance influences and manifest themselves through them. Hence the onset of this or that effect, which is the result of the intersecting and collision of necessary and chance interactions, acquires a probabilistic character. This also applies to the causes of crime studied from the viewpoint of the parts and the whole, the individual, the particular and the general. Here too there is a whole set (and so-called subordination) of causes, or, as is sometimes said, a "unique tangle" of causal relations. It is essential, both for theory and practice, to unravel this "unique tangle".

The necessary and the accidental

In studying the causes of crime, however, we must know that the general is not the same as the necessary, just as the singular is not the same as the accidental, but that each phenomenon bears within it an element both of the accidental and of the necessary. Therefore, by discovering the general features of crime as a phenomenon, criminology is obviously approaching an understanding of its laws. Lenin wrote: "...Social science (like science generally) usually deals with *mass* phenomena, not with individual cases."[2] For this reason it is particularly important for an analysis of social phenomena (crime, in particular), where the processes are of a mass nature, to look for the necessary relations and connections behind the chance phenomena.

[1] Frederick Engels, *Dialectics of Nature*, p. 232.

[2] V. I. Lenin, "The Collapse of the Second International", *Collected Works*, Vol. 21, 1974, p. 244.

Crimes and crime—the relationship of their causes

Crimes, if one takes each of them individually, are all unique, thanks to which they differ from one another. This is why the causes of concrete crimes appear to be singular, individual. However, one can easily detect recurrent features in crimes (in their causes and conditions). Consequently, the "singular" also possesses general features and qualities. These general features and qualities, if one is speaking of the causes of crimes, are inherent either only in separate elements of the general—types (or a type) of crime, in which case they act as the particular, or in the whole (crime as a whole), in which case they are general. One should remember, however, that crimes are committed by people. Thus, crime is made up not merely of crimes imagined without any connection with people, but of corresponding human actions. In the analysis of individual crimes one must study the personality of the criminal, and also the objective conditions connected with the crime. Then one must find out whether the factors and interconnections revealed in this way are of a general nature, that is, whether they manifest themselves at the level of mass phenomenon. Moreover, account must be taken of the following two points.

Firstly, crime is a phenomenon which includes crimes of varying gravity, different types, categories and groups of crimes, and consequently the causes of crime are also not homogeneous.

Secondly, in studying the causes of crime we must remember that it has a dialectical relationship with many other phenomena, so that the causal relation cannot be treated in a mechanical way, for in this sphere each cause is a set of phenomena.

Account of these two points and also of what has been said above concerning the generalisation of "human actions"—crimes—enables us to conclude that the set of causes of crime (as a phenomenon) is of both an objective and subjective nature.

It must be borne in mind that every particular is only partly included in the general. This manifests itself in the causes of crime too. The causes of concrete crimes (the individual, singular) determine why this or that crime was committed, and not all of them characterise the causes of

crime as a whole (the universal). Only that which is characteristic of all or most crimes can be classed among the causes of crime as a whole. The causes of the individual types of crime (the particular) are also assessed in the same way. The cause of this or that crime may be untypical, not only for crime as a whole, but also for its separate types. Therefore in the causes of concrete crimes we must discover that which is common to all crimes. It is, of course, very difficult to show the movement of a mass phenomenon in a single crime, a single individual, and, vice versa, the manifestation of individual facts in general phenomena. To do so the causes and conditions discovered in the course of individual analysis must be raised to the level of generalisation.

The causes of individual types of crime are elements of the causes of crime as a whole, bear the same relation to them as the particular to the general, and, as a result of this, contain features of the whole in their definition. Types of crime also relate to mass phenomena.

By studying individual phenomena and facts on a mass scale we can approach the level of a mass phenomenon: by discovering individual facts or connections encountered in a large number of frequently recurring, the researcher reaches conclusions of a general nature concerning the set which he is studying. There can be no doubt that such conclusions serve as a basis for studying the connections of crime with other mass phenomena at the level of generalisation. These conclusions serve as a real scientific basis for elaborating measures for preventing crime as a socio-legal phenomenon and preventing anti-social behaviour.

2. THE CAUSES OF CRIME AND THE CONTRADICTIONS OF SOCIAL DEVELOPMENT

Social relations and the causes of crime

The study of the causes of crime in connection with social relations is of special importance for criminology. The actions of real persons, of which social relations are made up, are of interest not only to philosophy, sociology, general and social psychology, but also to other sciences, including criminology. Between these sciences there exist interdisciplinary connections, the content of which changes depending on the aspects of the human personality that are the

object of special study in each particular case. All systems of social relations are dialectically interrelated.

Meanwhile the various systems of social relations and the various spheres of social life are becoming the object of special individual theories. The separation by criminology of a specific form of social relations, which arise in connection with the existence of crime under socialism, is essential for a special scientific study. However, the separateness of this form of social relations is conventional. The causes of crime, like crime itself, should be studied within the system of social relations as a whole. This will ensure the transition from general theoretical concepts to criminological ones. In this case criminological propositions will be understood and explained at the level of the general, but with due account of the specific nature of the object of criminological research.

> Each society is not just the sum total of its members, but also a system of regularised relations between them. The ordered, regularised nature of social relations is the immanent quality of society. The Constitution of the USSR points to the need to improve socialist social relations and transform them into communist ones. Social relations are specific means of joining people (man) with the conditions of their (his) life activity, historical forms of the social interaction of people joined together in communities, classes and social groups in the process of creating the conditions of their life and development. Social relations are, first and foremost, a means of joining people in accordance with the type of activity, social functions and conditions of their performance. Any activity presupposes the entering of a person (people) into definite social relations. Developed socialism is characterised as a whole by highly mature social relations. However, it would be wrong to characterise these relations only as a whole. Account must also be taken of the following points: firstly, social relations are inconceivable outside their realisation in the form of "real relations"—activity; secondly, different types of social relations (e.g. religious relations) can be realised in a specific activity, and, conversely, relations of the same type can be realised in different types of activity. Consequently, we can say that there exist relations which are connected with criminal activity, with crime and its causes, which promote the committing of crimes. One of the tasks of criminology is therefore to solve the problem of regulating social relations at the level of the formation of law-abiding, socially useful behaviour, the prevention of anti-social actions.

Socialism does not promote the manifestation of perverted social relations. However the newness and complexity of social life under socialism creates considerable difficulties

which cannot always be quickly overcome. Marxism is alien to the naive idea that the transition to the path of socialist development immediately brings an era of universal social harmony. The uneven development at the early stages of socialism is inevitable if only because of the need to do away with the disproportions and contradictions in social life inherited from the past. We must be able to see the contradictions in present-day life between the new and the old, that which is passing away. True, not all the contradictions of socialism are its "accounts with the past", not all of them are connected with the circumstances of its birth, with its origins. Insofar as socialism has not only been born, but is alive, has not only developed, but continues to advance, it also contains the contradictions of its own development, which arise each time on a new basis. This suggests that the social determinants of crimes and other offences are not only factors (causes, conditions, circumstances) that lie outside socialist society, but also negative aspects of social relations that manifest themselves within it. In connection with the afore-mentioned points there still exist in the life of present-day Soviet society such types of life activity as, for example, the criminal way of life. This is the contradiction between private and public interests. This contradiction is not removed simply by the growing forces of the new society. The bearers of old views and habits continue to exert their negative influence on those around them, to create conflicts, which leads to perverted manifestations of social relations. Nevertheless, we must see that the life and upbringing of members of society, their correction and re-education do not contradict each other. We must, however, consider the development of society in all its contradictions.

The causes of crime in the system of social relations and contradictions

In socialist society crime is engendered by contradictions which violate the laws of socialism, do not reflect its essence. In particular, the non-antagonistic contradiction between the growing requirements of the members of socialist society and the means of satisfying them manifests itself directly or indirectly in all the concrete causes and conditions of the committing of crimes.

This is why the problem of social contradictions, their removal and solution, is one of the most important tasks in the present development of Soviet society. The central point, the nucleus of the dialectics of social development, are social contradictions, just as the law of the unity and struggle of opposites, the law of dialectical contradiction, as Lenin defined it, is the nucleus of dialectics in general. Lenin wrote: "Dialectics in the proper sense is the study of contradiction *in the very essence of objects*..."[1] Lenin's method of analysing social contradictions has been developed and concretised in the documents of the CPSU. Guided by Lenin's instructions, the Party proceeds from the fact that the building of the new society is basically the process of overcoming the contradictions of the period of transition from capitalism to socialism. In organising and directing this process, the CPSU continues to focus attention on those facets of contradictions which the course of the objective development of society has brought to the fore. The documents of the CPSU are a further concretisation of Lenin's approach to social contradictions during the building of socialism. The Party has disclosed new contradictions, which express the specific nature of the transition period, the tendencies of the development of these contradictions in concentrated form, and has defined and applied in practice ways and means of overcoming them. The decisions of CPSU congresses and resolutions of the Central Committee of the CPSU have advanced and solved such major problems as the changed character of general social contradictions in the new conditions, the abolition of the capitalist structure and the establishment of socialist social relations in the various spheres of the life of society.

> Every type of social contradiction manifests itself at the levels of the general, particular and individual. All contradictions together are assessed from the standpoint of the universal. Each specific type of contradiction has special features of reproduction. The more individual the contradiction, the narrower the base for its reproduction, and the more general the contradiction the broader this base is.

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[1] V. I. Lenin, "Conspectus of Hegel's Book *Lectures on the History of Philosophy*", *Collected Works*, Vol. 38, pp. 253-254.

Classification of the causes of crime

The causes of crime are divided into various groups and their classification is done according to a variety of principles. There are general and concrete causes, causes of the first and second order (here the conditions are also put into an independent group), subjective and objective causes (objective conditions), main and secondary, complete and specific causes, direct causes, immediate and remote causes, typal causes, etc. It is easy to see that this classification, taken as a whole, contains heterogeneous concepts. If these concepts are systematised we obtain a more or less orderly classification to which concrete concepts correspond. To this end we shall divide the causes into several independent but interrelated groups.

There are seven main groups of causes of crime: the first are social causes of an objective and subjective nature; the second are social and biological causes; the third are general causes of crime and causes of concrete crime; the fourth are causes of individual types of crime, categories and groups of crimes; the fifth are direct and indirect causes; the sixth are causes of the first, second and third order (class), each of these classes having its own level characteristic (although this does not signify their primary, secondary and lesser importance: all three classes belong to the main ones); and the seventh are causes relating to the criminal personality. A special place in this system is occupied by the *sources of crime*. Let us now characterise these groups of causes.

We would note, first of all, that in general the causes of crime are seen as a complex of general social and individual (social and biological) manifestations of human nature and consciousness, which is opposed to the socialist system of social relations and capable of determining (which it does) criminal behaviour. It is a complex of those phenomena and processes without the elimination of which the task of abolishing crime cannot be solved. This definition is a general one, however, and requires explanation.

Let us consider the *sources of crime*. Crime and its causes do not just appear on their own. They originate "somewhere", proceed from "something". The most frequent companions of crime and its sources are defects of moral consciousness, moral laxness, which is where criminal behaviour begins. Without going into a detailed critical analysis of the stand-

points of criminologists with regard to the sources, we would note that all of these can be reduced to making the concept of the "sources of crime" into a relatively independent sphere. We have already discussed the content of this concept above. Here we would merely add that the causes of crime in relation to the sources are a secondary phenomenon, a product of the sources. The sources of crime are considered at the level of the universal. Sources of this kind serve as a breeding ground for the spread of all kind of negative manifestations connected with deviant behaviour.

The point of departure for considering causes of crime is the problem of general causes, which consists of the following: the historically determined nature of today's social phenomena and processes (it is in this connection that people usually refer to the historical causes of crime), the operation of the objective law of consciousness lagging behind being, vestiges of the past in people's consciousness, and the influence on socialist society of the antagonistic socio-economic formation. Without dwelling on the fact that the point at issue is mainly the origins of crime, and not its causes, let us consider the question in detail.

The meaning of the first of the above-listed causes is that crime has "come" to socialism from capitalism and is a very tenacious negative phenomenon.

The second cause finds concrete expression in human consciousness and behaviour.

The third cause is determined by the propaganda of the bourgeois states and its influence on Soviet citizens' consciousness and behaviour.

For all the truth of these premises, they are nevertheless presented in a very general, not a concrete, form, and not coordinated with the causes and conditions of concrete crimes, and the circumstances that promote their commission.

Therefore this general approach must be supplemented by an *assessment of the causes of crime on the basis of empirical material*. We must bear in mind that if the general exists only in the individual and through the individual, the general causes of crime must be sought in the causes of concrete crimes. The causes of crime as a whole are the sum total of typical causes of all or the overwhelming majority of individual crimes. Therefore, in order to ensure that research and the conclusions reached on its basis are truly scientific, we must, as Lenin pointed out, establish "a reliable

foundation of precise and indisputable facts that can be confronted to any of the 'general' or 'example-based' arguments now so grossly misused in certain countries. And if it is to be a real foundation, we must take not individual facts, but the *sum total* of facts, without *a single* exception, relating to the question under discussion. Otherwise there will be the inevitable, and fully justified, suspicion that the facts were selected or compiled arbitrarily, that instead of historical phenomena being presented in objective interconnection and interdependence and treated as a whole, we are presenting a 'subjective' concoction..."[1] This injunction applies also, of course, to assessing the causes of crime. It is essential to give a correct description of the causes of this phenomenon. It enables us to determine concretely and purposefully ways and means of preventing crime, and to draw up concrete preventive measures. General references to consciousness lagging behind being, vestiges of the past, the influence of bourgeois ideology, etc., are insufficient. They not only fail to create the necessary conditions for crime control, but also divert practical work from the solving of concrete and quite definite problems.

In relation to the study of the causes of crime the time for vague slogans in criminology has passed. On the other hand we still do not have enough empirical research here. In order to obtain a firm basis for explaining the causes of crime what we need is a systematic study of reality, an analysis of concrete material.

For a study of the causes of crime at the level of the general a concrete analysis of the individual is necessary. This approach is fully in keeping with the requirements of Marxism-Leninism. Revealing the general laws of social development, it points to the truly scientific method of explaining reality—the concrete analysis of a concrete situation. In a study of the causes of crime, while paying prime attention to the tendencies of social development, the general laws of social reality, and thinking in categories of the general, we must always take into account their true connection with concrete circumstances (facts, situations). Moreover, we must pay attention to the situation which arises "around" each concrete crime, the special features of

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[1] V. I. Lenin, "Statistics and Sociology", *Collected Works*, Vol. 23, 1964, pp. 272-273.

individual crimes, i.e., the concrete relationship of the individual, the particular and the general (universal) in the development of crime and its causes. Only such an approach to the analysis of concrete reality, to the sum total of facts relating to the phenomena of crime can ensure the success of preventive work and act, to quote Lenin, as a living guide to action. Such an approach makes it possible to trace profoundly and accurately why crimes are committed and where their sources lie, thereby providing a real possibility for preventing crime.

The causes of concrete crimes are determined by the presence of general causes. But the criminologist, as already mentioned, is concerned primarily with scientific generalisation, i.e., deduction of what unites these facts, what enables him to see the general that manifests itself logically in a series of given facts. One can name a large number of causes of concrete crimes. The study of this type of causes enables us to understand better why certain people commit crimes and what encourages them to embark on the path of antisocial behaviour. However, excessive concern with analysis of the causes of concrete crimes can also lead to a methodological error. It must not be forgotten that the borderline between the general, particular and individual is very mobile. There is no insurmountable wall between the general causes of crime and the causes of concrete crimes. This is also true of cases where individual types of crime, categories and groups of crimes are being studied. A comprehensive analysis is therefore of special importance here.

An analysis of the causes of crime at all levels presupposes consideration of objective and subjective phenomena. The subjective causes of crime are usually divided into separate groups and studied independently. The objective causes consist of that which exists outside man, and the subjective causes are everything that is related either to the actual individual who commits the crime (the narrow interpretation of the subjective) or to shortcomings in the work (poor or bad work) of bodies, organisations, institutions, etc. (the broad interpretation of the concept of the subjective). The interweaving of objective and subjective elements in the causes of crime requires a different approach to the analysis of and action on them. Interpenetration of the objective and the subjective can be seen at all levels of crime in all the afore-mentioned classification groups. This makes it neces-

sary, firstly, to study the objective and subjective causes of crime together, in dialectical interconnection and, secondly, to study these causes comprehensively. These requirements also apply to consideration of the indirect causes of crime (when the causes bear no direct relation to crime, and when there is no organic link between them) and the direct causes (when there is a close, direct link between the causes and crime and when crime is a consequence of these causes). Although the division of the causes of crime into indirect and direct is somewhat conventional, it nevertheless helps us to solve a number of practical problems.

3. THE DIFFERENTIATED APPROACH TO THE ASSESSMENT OF THE CAUSES OF CRIME

One can determine many different groups of causes of crime. However, no matter how we classify them, all causes ultimately fall into two main groups: social causes and biological causes. The causes in the first group are subdivided into three classes (depending on the level of their manifestation): first, second and third. But all these causes are considered together.

The first-class causes of crime

These causes originate in sources of crime connected mainly with the contradictions of social development. They are usually referred to as the negative aspects in the functioning of the social system, shortcomings, errors, difficulties (temporary difficulties) and so on. The anti-social phenomena in the Soviet Union are not engendered by the socialist system, but this does not mean that they have no soil in the objective conditions of life. This fits in with the objective conditions influencing subjective forms of human behaviour. Objective difficulties, as yet unsolved social problems, may create the conditions for the survival of private-ownership psychology in a certain section of people, for the emergence of conflicts between them. In the Soviet Union the demand for certain goods has not yet been fully met. The lack of certain consumer goods sometimes creates favourable conditions for the committing of crimes, including profiteering, abuse of official status, bribery, and private entrepreneurial activity. The material conditions have not yet been created

to free women from housework. This promotes the survival of a number of prejudices and harmful domestic traditions. Crimes are often committed because of family conflicts. Shortcomings, difficulties and errors of this kind are bound to influence (albeit indirectly) people's behaviour, their psychology, morals, principles, and the state of social consciousness. Therefore this group of causes, although its influence on crime is mainly indirect, has a rather wide social effect. At the same time, causes of crime that are connected with objective difficulties, shortcomings, errors, etc., are also determined by subjective factors: an oversimplified approach to ideological and educational work in the respective institutions, families, schools, work collectives and other structural units, a lack of vigilance and responsibility for the upbringing of members of society, a violation of the unity of word and deed, socialist legality and state discipline, a lack of analysis of real contradictions, etc. Therefore, from this viewpoint, we must speak of both objective and subjective first-class causes of crime.

All anti-social manifestations, crime included, "feed" on all the shortcomings of social life and make use of all deviations from the main line of society's movement forward. We have in mind factors, phenomena and processes that in some way or other support the existence of moral anomalies, crime. Every negative fact, every shortcoming (omission) in the system of social administration, and all kinds of offences in the activity of public institutions provide loopholes for phenomena harmful to society. They may also turn out to be a "basis" for crime. In the final analysis this lowers people's vitality and undermines their healthy state of mind. This process is very dangerous for society. It can become a cause (or condition) of the demoralisation of individual categories of the population. Shortcomings, omissions, errors, etc., weaken the system of crime control and at the same time strengthen and cement the foundation of crime. On the one hand, these causes affect the commission of crimes, promote the survival of crime. On the other hand, crime itself, and its consequences, give rise to these causes. It is like a vicious circle: crime acts as its own cause, engenders itself, reproduces itself, and creates and strengthens the ground on which crimes grow. A consistent reduction of crime destroys the "base" of its existence. But the main thing is to eradicate this "base".

The problem of the "vicious circle" connected with the first-class causes of crime is a most important one. Shortcomings and omissions, all manner of infringements in the functioning of social institutions may lead not only to official abuse, bribery, profiteering, etc., but also to protectionism and other dangerous actions connected with the performance of state and public functions. This, in turn, may cause the spontaneous emergence of normatively unregulated types of activity, their extreme manifestation being criminal behaviour. Here we have an interesting chain of cause and effect: shortcomings—infringements—anti-social behaviour—a crime as the extreme expression of such behaviour. Taking into account the negative consequences of crime which lead to the emergence of new shortcomings, this scheme can be represented more broadly: shortcomings—infringements—anti-social behaviour—a crime—shortcomings. Let us quote an example: because of shortcomings, omissions and infringements in the activity of social institutions a social requirement is not met (say, for scarce goods), and this leads to the disfunctioning of broader social systems—the theft of raw materials, the appearance of "under-the-counter" goods obtained in a criminal way, the misappropriation of funds that can be used to bribe officials. Misappropriators, bribe-takers and the like amass large sums of money and valuables by committing crimes. These crimes are the result of earlier shortcomings, omissions and infringements—the result of offences. Thus we have a vicious circle. A nation-wide approach to the solution of this problem is essential.

It must be noted that socialism engenders its own problems, problems that stem not only from the fact of consciousness lagging behind being and the influence of the capitalist world, but from certain conditions of life. These are explained both by weak ideological work, and by certain objective conditions. It is known, for example, that the survival under socialism of the individualistic psychology which forms the basis of anti-social behaviour is determined by phenomena and processes such as certain special features of economic relations under socialism, the concrete historical situation in which the new society is developing. We still often encounter disharmony in the psychological attitude of individuals and groups (age, professional, territorial, etc.), when, for example, the level of material well-being is too far ahead of the level of cultural development, or when there is an obvious disparity between excessively high demands, requirements and the real opportunities of the individual, etc. There is also sometimes a disparity between the level of development of social production and the constantly growing demands of members of society, making it necessary to limit

or postpone the satisfying of some requirements, the differences between classes and social groups, between forms and types of distribution of labour (mental and physical, skilled and unskilled, mechanised and manual, etc.), between conditions of life in different types of settlements, etc. In this connection we must remember the principle of distribution according to work done and the related inequality in the shares of the social product received by certain persons. We can also point to a noticeable difference between the wages and salaries of the high- and low-paid. Special attention has been paid recently to the fact that certain categories of persons are not employed in socially useful labour in the period between dismissal from one job and employment in another, and also to loss of working hours due to idleness, lateness, absenteeism, etc. All this (and a great deal more, which is discussed further below) constitutes our shortcomings and omissions. As life shows, they take their revenge in one way or another. Of course, the existence of crime under socialism is connected to a certain extent with these shortcomings and omissions, although in themselves they are not an expression of the essence of socialism.

The main tasks of overcoming the first-class causes of crime are being solved in the Soviet Union in the economic and the cultural sphere. One occasionally hears comments to the effect that since crimes and anti-social behaviour belong to the sphere of consciousness, they can be overcome by improving education. But this is not quite so. A solution of these tasks cannot be confined only to the sphere of consciousness. If being is ahead of consciousness, it is essential to improve the material conditions of work, everyday life, rest and social relations. These are important prerequisites for changing human consciousness. When dealing with difficulties and shortcomings in the sphere of education and in the economic, material sphere, Party documents say: "...It was not only a matter of objective reasons, and this must be stated frankly. We have not always and everywhere worked in the manner required by our own decisions... But it is important ... to see these shortcomings in order to combat them with greater determination."[1] It is also

[1] L. I. Brezhnev, *Report of the CPSU Central Committee and the Immediate Tasks of the Party in Home and Foreign Policy*, Novosti Press Agency Publishing House, Moscow, 1976, p. 67.

pointed out that the main condition for overcoming negative phenomena is the establishing of order where it is being violated—in production, state and public life. "Indeed, we are aware that not all the problems have yet been solved. We have a better knowledge than all critics of our shortcomings, and are aware of the difficulties. And we have been successfully overcoming them. We know and see the ways leading to the further development and improvement of our society."[1] These problems, which are directly related to overcoming shortcomings, difficulties and omissions, are not departmental, of course, but are connected with the solution of nation-wide tasks. For the causes of crime which are of a social, nation-wide nature, must be sought in social phenomena, and not outside the society. They are considered on the general sociological level. The removal of these causes is a task for the whole state, not for individual departments. Therefore the organisation of the prevention of crime engendered by the causes in question, and the social prevention of anti-social behaviour for this purpose, can be ensured only by the forces and resources of the state, society and all working people.

The second-class causes of crime

The causes of crime in this class also derive from the sources of crime. The common source of first- and second-class causes mutually determines and "enriches" them, representing these two groups as basically a single one. The special features of the second-class causes of crime, however, lie in the fact that they are considered not only on the general sociological, but also on the socio-psychological level. These causes are connected mainly with the world outlook (in the broad sense of the term) of various categories of people, with the sphere of man's relations with himself and his fellow creatures, with society and social values. What we have in mind is the system of people's views, concepts and ideas of the world around them. These are not simply views and ideas, however, but a person's beliefs (or understanding of the world) concerning his own life, those around him, and the life of society. It is everything that brings people to con-

[1] *Ibid.*, p. 155.

crete actions. And, Frederick Engels wrote, "everything which sets men in motion must go through their minds".[1]

The approach to an explanation of second-class causes of crime is, however, directed not towards single individuals (as in the case of third-class causes of crime where it is studied mainly at the psychological level), but towards general categories that characterise the world outlook of different categories and groups of the population. Moreover, one must also bear in mind two other points: on the one hand, in general the forms of people's contact and behaviour, their actions, the thoughts and feelings established in their consciousness (understanding of the world) are constantly changing (for the best, if one might say so) in connection with the development of socialism and the improvement of social relations; on the other, all things being equal these forms of contact (behaviour, actions, aspirations and feelings), personified in types of individuals, sometimes remain unchanged, surviving and even developing under changing social relations. In the first case, we are dealing with categories of people (the majority) for whom a positive, active attitude towards life is typical, and in the second with categories of people for whom socially deviant behaviour is characteristic. It is in cases like the second that we speak of "breakdowns" in people's consciousness and behaviour. These "breakdowns" are the ground on which second-class causes of crime thrive.

It is due to a "distorted world outlook" and the "breakdowns" in consciousness which are caused by such an outlook that there appear in society the money-grubbers and loafers, the litigious persons, the slanderers, the anonymous letter-writers, the formalists and bureaucrats, the careerists, time-servers and traitors, the dodgers and self-seekers. These (and similar) types of people are characterised by such qualities as individualism and egoism, self-interest, greed and cupidity, the desire to make money and get rich quick, money-grubbing, parochialism, indifference, insincerity and mendacity, boot-licking and servility, ingratiation and hypocrisy, vanity, idleness, the desire to live without working (at someone else's expense), and contempt for the interests of society and the basic norms of behaviour. Such people

[1] Frederick Engels, "Ludwig Feuerbach and the End of Classical German Philosophy". In: K. Marx and F. Engels, *Selected Works* in three volumes, Vol. Three, p. 367.

are usually characterised also by nepotism, making use of connections, patronage, personal charm, prejudice, and graft for business purposes. They are also marked by other forms of nihilistic attitude to social and state values, other types of moral instability and private-ownership, bourgeois traditions. Among these people one frequently finds drunkards and drug addicts, they are often sexually dissolute, parasitic, cadging and vagrant. All this creates a very "infectious atmosphere", a special background with a clearly expressed criminogenic tenor. It is small wonder that people with the above-mentioned qualities include a large number of "potential criminals". With the help of these qualities it is easy to draw a "portrait of the criminal personality". Taken as a whole this "atmosphere" engenders the second-class causes of crime. These causes exert mainly a direct influence on crime. Hence their special danger to society. The elimination of these causes is connected with the active formation of a correct world outlook in people.

Individualism and egoism are qualities that set the individual against society and undermine his sense of social and collective duty. They limit a person's activity to the framework of separate existence and turn him into a self-loving and self-isolating creature. Extreme manifestations of individualism and egoism are excessive ambition and self-importance, selfishness (self-esteem) and arrogance. People with these qualities usually consider themselves unrecognised geniuses and claim a special place in society. Snobbery is one of the manifestations of their behaviour. As a rule, they give nothing to society or other people. But because they do not receive any special privileges from society, they regard themselves as unfairly humiliated and enter into conflict with other people, the collective, the society. Artificially produced contradictions arise. The militant individualists and egoists become malicious, cruel and aggressive. They easily turn into bitter, envious people who are upset and irritated, instead of pleased, by the successes of others. The person's consciousness grows even more deformed. This particularly strengthens his feeling of rapacious individualism and egoism. Turned into a cult, the afore-mentioned qualities, at their extreme, express themselves in the form of a crime. It is easy to see the great danger that individualism and egoism present for society. This phenomenon may lead to the most varied distorted forms of world outlook,

Cupidity is closely linked with the urge to make money and get rich. It verges on greed, money-grubbing, etc. In assessing this quality negative, society is not condemning a person's striving to improve his material well-being (the principle of material interest is perfectly understandable and justified). It is simply trying to ensure that this urge is satisfied by the person's own labour, and not at the expense of other people, the state. Therefore in our context selfish motives mean the urge to profit from someone else's labour. A selfish attitude expresses an individual's parasitic tendency and fairly often leads to crimes, usually crimes for gain. Moreover, selfishness frequently goes hand in hand with individualism and egoism. Soviet society rejects the cult of consumption, the psychology of the philistine for whom a copeck, as Gorky so aptly put it, is the be all and end all. For us material blessings are not an aim in themselves, but a prerequisite for the all-round development of the individual. Hence it follows that a rise in well-being should be accompanied not by people's material enrichment, greed and cupidity, but by the enrichment of their inner world. The itch to "possess things" can deform a person totally.

By rejecting individualism and egoism as a system of thought and behaviour, Soviet society supports and develops a high sense of dignity of the free individual and forms the communist world outlook. The problems in question are to be solved primarily by means of social policy (ideological education and social prevention) with the aim of preventing recurrences of petty-bourgeois consciousness referred to in sociological and ethical literature as "philistinism". It is this "philistinism" that leads people to solve their questions from the standpoint of their "corns". Karl Marx wrote: "...A coarse person ... regards a passer-by as the most infamous, vilest creature under the sun because this unfortunate creature has trodden on his corns. He makes his corns the basis for his views and judgement."[1] The standpoint of the "corn" is the standpoint of militant individualism and egoism.

Revenge, envy and jealousy. These emotions are interconnected firstly, between themselves, and secondly, with many

[1] Karl Marx, "Debates on the Law on Thefts of Wood". In Karl Marx, Frederick Engels, *Collected Works*, Vol. 1, Progress Publishers, Moscow, 1975, p. 235.

of the other elements in question. Not all of them can be assessed negatively in this respect. The evil lies in the private-ownership manifestations of jealousy and envy. It is rooted in their individualistic content, in the urge to harm the person who has aroused the feeling of jealousy and envy. This leads to unlawful behaviour. Jealousy is most closely combined with revenge—the act of repaying evil (real or imaginary), vengeance for something. This is a manifestation of elements of the petty-bourgeois psychology, the warped world outlook.

Many of the afore-mentioned human qualities which are connected with a backward consciousness promote such negative phenomena as drunkenness, sexual promiscuity (and prostitution), drug addiction (and toxicomania), parasitism, vagrancy and cadging. These phenomena, which belong to the second-class causes of crime, are closely connected with one another. However, by virtue of the differences in their nature, they must be studied separately.

Drunkenness (the systematic and immoderate consumption of alcohol, which frequently develops into alcoholism) is a social problem with a clearly expressed criminogenic significance. Criminologists vary in their assessment of drunkenness: some call it a cause of crime, others a condition, yet others a phenomenon which accompanies crime. Theoreticians and practical workers are often captive to views which they have long held to be irrefutable. We say, for example, that the cause of hooliganism is drunkenness. But these causes, which lie on the surface, are formulated by us in advance on the basis of general observations. In concrete cases, however, although they may be within the field of vision, they should be called only accompanying phenomena, not a cause of crime. Criminologists still give an incomplete assessment of the connection of excessive consumption of alcohol and such consequences as drunkenness and alcoholism with crime, an assessment which is based only on consideration of the influence of the state of drunkenness on the committing of a concrete crime. Such an approach makes it difficult to advance beyond the idea that drunkenness and alcoholism are conditions that promote the survival and manifestation of crime.

It is necessary to see and assess correctly the sources of drunkenness and alcoholism. In this connection we are bound to consider such questions as where drunkenness originates,

why it sometimes flourishes, what promotes this, who should control this phenomenon and what forces and means can be used to prevent it.

Drunkenness and alcoholism should be considered among the main causes of crime, not as secondary causes. To our mind, drunkenness and alcoholism are among the primary causes of crime. Alcoholism has a tremendous effect on crime. The term "alcoholic crime" which has been introduced into literature is fully justified.

> Of course, drunkenness does not so much engender vices as discloses them. But one thing is clear, namely, that drunkenness and alcoholism promote the degradation of the individual, and degraded people are the ones who most often commit crimes. It is here (in the process of degradation) that we can trace the connection and nature of the interaction of alcoholism and drug addiction. A person, sometimes even aware that it is harmful, grows accustomed (adapts) to alcohol and drugs, the consumption of which becomes an organic necessity for him. He seeks to satisfy these harmful habits. And often satisfies them at any price, even the price of crime. Many generalised facts and concrete studies testify to the fact that there is a very close connection between crime and drunkenness. Consequently drunkenness must be seen as a special cause of crime as a whole, and not just that part of it which belongs to crimes committed by persons in a state of inebriation.

The danger of drunkenness and alcoholism is a dual one: on the one hand, it lies in the support and stimulus of social and even (in a number of cases) biological causes of crime, on the other, in the fact that drunkenness and alcoholism act as main causes. They are always accompanied by a deterioration in human relations and frequently by various conflicts. At the root of drunkenness and alcoholism lies contempt for social interests and existing moral and legal norms. Drunkenness and alcoholism weaken or totally destroy a person's socially useful connections and complicate or break up family relations. They have a negative influence not only on the behaviour of the drunks and alcoholics themselves, but also on the members of their families, particularly children, and on those around them. People who systematically and excessively consume alcohol lose a proper reaction to various external irritants and become lax and coarse, importunate, aggressive, brazen, mendacious, cynical, etc. These people frequently lose their sense of duty, respect for the law and moral standards. All this

results easily in crimes. Drunkenness and alcoholism directly lead a person to embark on the criminal path. These phenomena are very similar to crime.

The third-class causes of crime

This group of causes is connected mainly with a concrete individual. No matter how profoundly we analyse all the contradictions of social development and the related sources and causes of crime, it is impossible to understand the essence of the problem without the concrete individual. What we have in mind is the study of social (and, in part, biological) problems that influence the formation and behaviour of the criminal individual. This type of analysis extends not only to the criminal individual, but also to the criminal act which he performs. A crime is a manifestation of personality. In other words, the person is judged not in isolation from his behaviour, but in relation to it. Of course, a person who has committed a crime was not born a criminal, but became one. Therefore, we must not look for the causes of the crime in the personality of the criminal alone.

Each concrete crime has social causes, and therefore it is impossible to explain it solely in terms of a person's peculiarities. In a crime a role is also played by factors that are outside and independent of the individual, factors which reveal themselves on the level of the macro-environment and are manifested in economic, social, cultural and other contradictions. Although these contradictions manifest themselves in an individual phenomenon through a complex transmission mechanism, they nevertheless play an important role in the formation of the conflict between the individual and society, a conflict that is realised in a crime. But the crime, in whatever form it is committed, is not a chance phenomenon in relation to the individual. Basically it has been prepared by the development of the individual's qualities. The latter include a person's experience of life, which is filled with social content, and also the features of his spiritual world, which in conflict situations predetermine his choice of socially dangerous behaviour. External causes, as a rule, do not operate on their own, automatically. They are refracted through the personality of the criminal and condition his behaviour. People are different, each of them is an individual. Without understanding the peculiarities of

the individual it is impossible to understand the motives and causes of a person's action. Here the individual is regarded as a social category. However, certain biological elements, which are the subject of social research, are not excluded.

An analysis of the causes of crime as a mass phenomenon does not reveal how individual criminal behaviour develops, what is the behaviour mechanism in the committing of a concrete crime. To leave the individual aspect of crime out of consideration is to ignore an organic part of the whole. Consequently, the individual aspect of crime (needs, motives, views, premises, etc.) must be studied in connection with the causes of the phenomenon.

In studying the causes of crime in connection with a concrete individual it is essential to discover the mechanism of the person's behaviour. The first link in the behaviour mechanism is the influence of the external environment, the second the inner states aroused by these influences, and the third the behavioural act (the crime). It is essential, therefore, to compare the first and third links in this mechanism, i.e., the influence of the external environment and the person's reaction to this influence. Here the possibility of giving a deterministic explanation of criminal behaviour from the standpoint of the criminal's personality arises. The idea that the causes of crime are rooted in the individual personality is based on the belief that psychic, mental activity is the "driving force" of behaviour. What we have in mind is the person's spiritual world, at the rational, emotional and volitional levels on which one finds qualities which in appropriate circumstances manifest themselves in the motivation of a crime. A study is made of the conscious volitional behaviour of the individual, and in accordance with this attention is focused on the criminal and the circumstances of the act committed. Therefore, in a study of the causes of crime (third-class causes) the analysis of the personality of the criminal is necessarily in the forefront.

The concrete circumstances promoting the committing of a crime play a major role in the mechanism of human behaviour. All human behaviour is determined by concrete circumstances. A person depends on these circumstances. However, he is their active, not passive, subject, insofar as he can change them, stimulate their influence or prevent this influence. Consequently, there is no direct link between the circumstances and the crime, because the "movement" of the

circumstances is regulated by people. Negative circumstances, operating through the complex mechanism of the individual consciousness, do not necessarily provoke crimes, but may also produce positive action aimed at overcoming the negative aspects, at preventing criminally punishable acts. The individual has an active, selective attitude towards the circumstances, and their operation cannot be reduced to the simple projection "the circumstances—the crime". There have been many cases when people, "surrounded" by concrete circumstances, have chosen the optimum means of action, desirable for them and society, thereby restraining themselves from committing a crime. The reverse has also happened, of course. Hence the applied importance of a correct "diagnosis" of the circumstances, a precise determining of their causes, of establishing the influence of the circumstances on the individual, and, conversely, of the individual on the circumstances. This is important not only for the study of the causes, conditions and circumstances of individual crimes, but also for the prevention of criminal behaviour.

In some cases crime is committed when a person shows a heightened activity, nervous excitability and emotionality not in keeping with the circumstances, "situational thinking". The person is no longer capable of rising above the circumstances and assessing them objectively. Here the circumstances are not changed by the person, but the person is formed by the circumstances. They determine his behaviour, actions. It is in such cases that we talk about circumstances promoting the committing of a crime. However, a highly developed individual finds it easier to "rise above" circumstances that may lead to a crime. The individual is fully capable of finding a solution to the situation, while remaining within the bounds of socially permissible behaviour.

The causes and sources of crime are interconnected. Their unity springs from the "integrated" nature of crime. However, whereas sources are considered at the level of the universal, causes are considered at the levels of the general, particular and individual. An analysis of each of these levels separately is essential for the concretisation of appropriate assessments. Let us dwell on some of them.

Consciousness lagging behind being. Applied to the problems of criminological research this concept has an "all-embracing" nature. For the lagging of social consciousness

behind social being can be linked with the existence not only of crime, but of all the negative phenomena and processes in society that influence crime in some way or other. What is more, by reference to this fact it is easy to explain all human actions that are not in the interests of society and the state. The lagging of consciousness behind social being nourishes all that is bad, acting as a source of all negative phenomena, including crime. Consequently in the study of crime it is essential not only to proceed from this general explanation, but to strive to define the specific nature of the "lagging of consciousness behind being" in relation to crime. In an analysis of this aspect of "lagging behind" one must pay attention to the following.

Firstly, crime is a manifestation of extremely backward consciousness.

Secondly, among criminals themselves one can also establish different levels of "backward consciousness", for there are crimes and crimes, just as one criminal (for example, a particularly dangerous recidivist) differs from another (say, a person who has committed casual and reckless crime). Obviously their levels of "backward consciousness" are different.

Thirdly, in relation to crime it would be more accurate to speak not of social consciousness lagging behind social being, but of individual consciousness lagging behind social consciousness.

When it is clear who has "backward consciousness", in connection with what and how it concretely influenced a crime, in what concrete actions, intentions and feelings it expressed itself, there is a real possibility of talking about the interconnection of the causes and sources of crime. The problem should be solved in a differentiated way. Then it becomes possible to determine also the extent to which the "backward consciousness" is socially dangerous, and its levels characteristic of criminals in general and their different categories. This scientific problem has a broad application in practice: it is connected with different forms of education and with preventing "breakdowns" in consciousness. The criminological aspect of this problem, however, is directly linked with the prevention of anti-social behaviour.

Socialism does not abolish the operation of the objective law concerning the relative lagging of social consciousness behind social being, but it can change it considerably. However, the

consciousness of the masses, their psychology, change much more slowly than the material conditions of existence. This is explained by the complexity of the interaction of social being and social consciousness, the special features of the development of consciousness itself. The gradual altering of the latter determines its relative length and its different levels and many-sidedness. Although social consciousness is secondary in relation to being, it exerts the reverse influence on material conditions.

Social consciousness lags behind the requirements of the socialist way of life as well. At the same time the consciousness of the individual and also of certain categories and groups of the population lags behind social consciousness. Finding themselves in a narrow, specific environment, people with an unformed world outlook may adopt standpoints that are harmful to themselves and society. They show peculiar subjective tendency, a corresponding attitude of consciousness. This may be linked also with difficulties in everyday life, insecurity, failure, etc. Hence, in particular, the sources of different deviations from the norms established by society. In other words, in such cases a person's behaviour is inferior to social consciousness, i.e., it deviates from social norms. This is manifested most vividly and dangerously for society in criminal behaviour. The latter is, however, also determined by a number of other causes.

For an analysis of the interconnection of the causes and sources of crime it is important to take into account, first and foremost, the fact that individual consciousness develops under the influence of social consciousness. However, we must also remember that the relationship of consciousnesses—social and individual—does not take the form of direct projection of one on the other. Much depends on the peculiarities of the individual, his life experience, etc. Consequently, in solving questions of the interconnection of the causes and sources of crime it is essential to study the practical problems of the interrelation of elements of individual and social consciousness. For a proper criminological study it is particularly important to analyse how the dialectics of social development are reflected in the behaviour of individual persons, categories and groups of the population, and how social consciousness is reflected in their consciousness. In an analysis of the interconnection of the causes and sources of crime this enables one to establish the relationship of the general (and universal), the particular and the individual (singular). Such a differentiated approach, which is based on recognition of the unity of the phenomena in question, also enables one to take into account the fact, of considerable importance to criminology, that one and the same person can have not one definite level of consciousness,

but several: political, ideological, aesthetic, moral, legal, etc. For example, the aesthetic level of consciousness in a person may be high, but his legal level low. Here various types of contradiction arise: on the one hand, between social and individual consciousness, and on the other, between different levels within the individual consciousness. The causes and sources of a crime committed by a person with a backward consciousness are closely interwoven. Their interconnection is practically always obvious.

Vestiges of the past in human consciousness. As Lenin pointed out, socialism cannot be "entirely free from traditions or vestiges of capitalism",[1] which act "contrary to real communist economy". Vestiges of the past under socialism still exist in the economy, everyday life and the consciousness of a certain section of people and manifest themselves in various ways. Under socialism general sociological contradictions and laws operate, and also contradictions and laws of some preceding formations. These contradictions and laws constantly change their content in the process of the development of socialism. Bequeathed by the old to the new, vestiges of the past never disappear of their own accord. With the change in social relations, they are regenerated, transformed, and turn one into the other, thereby acquiring a relative independence. Vestiges of the past continue to exist even after the causes and conditions which generated them have been removed. In this case the lagging of consciousness behind being manifests itself particularly clearly. For not only progressive, but also backward views spread in society. Life follows its course, generation succeeds generation, and a certain section of people take in the old alongside the new. This is why everyday human behaviour, which has its inner logic, does not automatically follow social changes, which is why we speak of socially deviant behaviour. The most conservative are such forms of behaviour as immoral and criminal behaviour. They originate, first and foremost, in vestiges of the past. Consequently in changing social being and building a new society, people should step by step rid themselves of the rubbish of all that is old and obsolete, from the prescriptions and norms of private-ownership morality. It is essential to overcome all habits,

[1] V. I. Lenin, "The State and Revolution", *Collected Works*, Vol. 25, 1977, p. 476.

rites, and rituals that are not in keeping with our moral norms and that lead to infringements of the law.

An analysis of the reasons why vestiges of the past survive in people's consciousness demands a concrete approach to the different vestiges and different forms of their manifestation. The fact is that vestiges of the past cannot in themselves give rise to crime, just as a conflict of interests cannot either. Obviously vestiges of the past are only the possibility of crime, acting as a source of crime. A source may change from a possibility into reality only in the presence of concrete causes and conditions with which it interacts closely. This interconnection is what should constitute the basis of research on the criminological aspect of vestiges of the past.

We would note yet again in connection with the foregoing, that one can speak of vestiges of the past in people's consciousness only in relation to a section of the members of Soviet society, individual groups of the population which by no means consist only of persons who commit crimes. Many persons for whom vestiges of the past are characteristic do not commit crimes.

On the other hand individual groups of crimes are most closely associated with vestiges of the past in human consciousness. Embezzlement, bribery, profiteering, larceny, and certain other offences connected with such private-ownership vestiges as cupidity, money-grubbing, greed, etc. belong, first and foremost, to this source. Moreover, an analysis of criminal legislation shows that a certain section of acts can even be directly connected with vestiges of the past in people's consciousness. For example, crimes which are vestiges of local customs: payment and receipt of redemption for a bride (bridemoney), bigamy and polygamy, etc.

The problem of social inheritance. In considering the question of vestiges of the past in people's consciousness one must not overlook the problem of social heredity. Today heredity is not confined to genetics or even to biology as a whole. It extends to a wide class of systems connected with natural, technical, mathematical, psychological and social processes. The concept of "heredity" is acquiring a universal character. We are of the opinion that one can also speak of social heredity in the study of criminological problems. This approach enables one, inter alia, to speak more concretely about the transition of vestiges of the past

from one generation to another. Social inheritance is found not only in the lagging of social consciousness behind social being. It affects the continuity of mankind's "experience" by the handing down of social information from generation to generation. This continuity, which has its own special features, is also characteristic of the sphere studied by criminology. For alongside positive, useful information people may be handed information that is negative and harmful. The social "genetic" ties are diverse. They relate to the most varied spheres of scientific knowledge. These connections are also of interest from the standpoint of criminological research.

> The process of social inheritance is a complex and contradictory one. The above-mentioned social connections retain much that is characteristic of the preceding historical epoch. By improving themselves and social relations, people are constantly acquiring definite elements of new, emerging relations. Each generation inevitably contributes something new to life. People build their life, transforming it and not accommodating themselves to it. The present is always the result of two kinds of activity: firstly, the activity of the past generations on whose shoulders the present generation rests, and, secondly, the activity of the present generation. This is how the social heredity is "refashioned". However, as they depart, preceding generations leave those that follow not only their social riches, but also their "vestiges". Under socialism new generations change everything: both the "good" and "bad", the former is improved and the latter ousted, eliminated. Therefore neither "virtues" nor "vices" can remain unchanged, albeit for the fact that each new generation sees them in a different way. The balance of forces between the positive and the negative also changes: the former is given the possibility of becoming widespread, while obstacles are created for the latter. Soviet society is constantly creating obstacles for vestiges of the past that promote legal offences, and for all other forms of socially deviant behaviour.

Crimes are rooted historically (genetically) in the legacy of past epochs. There is clearly a real social danger in inheriting such a legacy. It is obvious that these "genetics" determine the existence of the harmful habits that lead to crime. It is harmful "genetic" social information, sometimes briefly characterised by attachments to the old and obsolete, that expresses (and determines) people's inclination to retain unchanged the forms of their daily behaviour which leads to crimes. The classics of Marxism-Leninism frequently characterised people's attachments to obsolete forms of activity as a tremendous force that embodies the operation

of social inertia in mass consciousness and behaviour and acts as a powerful brake on the path of the establishment of new social relations. This social inertia has retained crime as a vestigial phenomenon in Soviet society. Marx, Engels and Lenin wrote about vestiges of the past as habits which penetrate the very heart of the masses, and called the force of these habits a most terrible one that forms the basis of demoralising activity. Crimes should be regarded precisely as demoralising "types of activity". Hence, the task of re-educating "habits", a task of great criminological importance. Obviously it cannot be examined in isolation from the causes and sources of crime, for it is connected with their existence.

The negative influence of capitalism. As in the preceding cases, here too the multiplicity of the connections of crime must be taken into account. These connections are complex. Some of them influence criminal behaviour directly, others indirectly. Consequently, if we acknowledge the negative influence of capitalism on the general cause of crime (or its source), we must establish the same connections that we sought to define in assessing "the lagging of consciousness behind being" and "vestiges", namely, how the bourgeois environment influences crime (directly or indirectly), and whether this environment influences all crimes or only certain types of them. It is also important to define the degrees of the negative influence of capitalism on crime as a whole, and also on individual crimes. But we must always proceed from the fact that one of the sources of crime in socialist society is the negative influence of the capitalist system. This does not mean that crime is a result only of influence from without, from the capitalist world. To assume this would divert us from the search for real ways of reducing the influence on crime of other causes and sources. What is operating, we repeat, is a set of interconnected causes. We are examining one of them, the negative influence of capitalism.

> In carrying out their ideological sabotage our ideological opponents, using a variety of devices, seek to make use of vestiges of the past in the consciousness of some individuals, their private-ownership attitudes, etc. And this must not be underestimated. We know that the capitalist sphere of influence is steadily shrinking, that the power of the world socialist system is increasing. At the same time the ideological struggle between socialism and capitalism is growing stronger, and therefore we must not underestimate the negative influence of capitalism on the consciousness

of the working people, on the consequent rooting in people's consciousness of various vestiges of the past, and on the existence of various negative phenomena, including crime. Hence, it must not be assumed that the tasks of overcoming this negative influence of capitalism have become simpler and easier. On the contrary, they are growing more complex, because with the development of socialism and the building of communist society, crime is becoming increasingly intolerable. The tasks of criminology in this connection are basically to find in the general system of the ideological education of the masses its own specific means and methods of "cutting off" such a source of crime as the negative influence of capitalism. Such a line of work will have special practical significance.

Capitalism has a negative influence on crime not only through the hostile activity of the bourgeois intelligence services and their agents, but also by exerting an ideological influence on the consciousness of the working people, by creating difficulties for the development of socialism, by fanning war hysteria, etc. With the help of ideological sabotage capitalism is seeking to retain vestiges of the past in people's consciousness and, consequently, influencing the causes of crimes.

By studying the causes of crime we learn about reality. By discovering the true causes of this phenomenon, we obtain a real opportunity to influence them, to prevent their emergence. The detection and study of the causes of crime enables us to act knowledgeably, to exert a practical influence on all the processes connected with social prevention, the prevention of anti-social behaviour.

4. THE CAUSES OF CRIME IN CONNECTION WITH AN ANALYSIS OF CRIMINOGENIC FACTORS

The concept of factors and their connection with the causes of crime

As already mentioned, the existence of crime in socialist society is determined by a whole number of causes. However, the causes of crime cannot be considered in themselves, isolated, divorced from the phenomena and processes of social development. Criminology usually calls negative phenomena and processes "crime factors". Determining the place and role of each factor in elaborating measures for crime control is one of the most important tasks of criminological research. But this does not mean that any individual factor can be

considered apart from other factors. In a study of the factors the point of departure should be Lenin's statement that "there are *no* 'pure' phenomena, nor can there be, either in nature or in society... The very concept of purity indicates a certain narrowness, a one-sidedness of human cognition, which cannot embrace an object in all its totality and complexity".[1] Consequently these factors must be studied together. Only then will it be possible to discover the mechanism of their influence on crime.

What is the general assessment of the factors influencing crime? We have already said that these factors can be divided into two main groups: criminogenic and anti-criminogenic. The former include phenomena and processes that engender, revive, strengthen or support the negative views, habits and tendencies underlying anti-social behaviour, or directly provoke or facilitate the committing of a crime. The latter, conversely, are phenomena and processes that oppose anti-social behaviour and its manifestation. It must be borne in mind, however, that an assessment of this or that phenomenon as a criminogenic or anti-criminogenic factor is not always "firm", invariable, and in a number of cases depends on combination with other phenomena and processes. In this connection, it must be said that the concept of the criminogenic and anti-criminogenic is equally applicable to factors which act as causes and those which act as conditions of crime. But here the problem is linked with the effects of the factors. Obviously, in connection with the causes of crime we can speak not so much of factors as of their effects.

The effects of factors and causes of crime. There is a need for a criminological investigation of both the positive and the negative effects of social phenomena and processes, the interconnection and interaction of these effects in all their fullness and contradictoriness. Naturally, we must take into account the fact that in Soviet society negative phenomena and processes form an insignificant part of all phenomena and processes. Therefore on the whole the effects are positive. But there are also negative eff ects, of course, and if they promote anti-social (criminal) behaviour, they are called criminogenic. As a rule, these effects manifest themselves

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[1] V. I. Lenin, "The Collapse of the Second International", *Collected Works*, Vol. 21, p. 236.

at the lower levels of social relations. It must be pointed out that we should not equate the concepts of the "negative effects" of a phenomenon or process with "criminogenic effects". Whereas the latter are linked with the causes and conditions of crime, the former bear no direct relation to them. Crime itself is the result of criminogenic effects as a whole. It can also be represented as the most striking criminogenic factor in the system of social development. For a proper understanding of the causes of crime we must have a clear picture of the sum total of factors, the environment that "feeds" them, the nature of their interaction with one another, the mechanism of their influence on crime and resistance to this influence. The organisation of crime control is impossible without a profound study of the whole set of factors, both criminogenic and anti-criminogenic. In order to raise the effectiveness of this control it is essential to remember that under the scientific and technological revolution the sum total of factors influencing human behaviour is growing steadily and their interaction is becoming increasingly complex. However, in spite of the fact that these factors influence human behaviour jointly, it is essential to classify them. The question of the role and place of any group of factors in the mechanism that determines criminal behaviour cannot be considered without preliminary classification of the factors. There are different ways of classifying them, depending on the criteria used. Let us consider some of the most important which have a practical significance.

The initial one here is that different groups of factors play different roles in the mechanism of determining criminal behaviour. Social phenomena and processes which are on the whole positive and necessary (important from the point of view of social development) may also produce negative effects. For example, industrial development, the active involvement of women in social production, etc., are undoubtedly positive phenomena serving the goals of progress, yet at the same time they also have negative effects, albeit of a temporary nature. Such phenomena and processes also include urbanisation, migration, increase in private motoring, growth of leisure time, and certain others. Here a special classification of factors is necessary. But in discussing this type of effects, we must remember that in a socialist society the "power" of anti-criminogenic social phenomena and processes in general is immeasurably greater than the

operation of negative phenomena. Positive phenomena and processes weaken and neutralise the action of negative ones and help to remove them from the life of society. This does not, of course, do away with the problem of discovering the nature of the interaction of criminogenic and anti-criminogenic factors and their joint influence on crime.

Changes in any sphere of social relations are the result of the interaction of complex, partially opposing factors (phenomena and processes). Only public ownership and socialist organisation of society create the necessary prerequisites for the scientific detection and study of the mosi miportant factors, the assessment and consideration of their inflt ᵒc on the general system of social relations. This determines t ehe ssibility of a relatively accurate definition of the role and place of this or that factor in socialist society. The relative accuracy of this "measurement" also depends on how fully and correctly account is taken of the causal dependencies that determine social development, how fully the true picture of this or that phenomenon or process is presented. Here one must take into account the large number of indices connected with political economy, sociology, psychology, criminology, law and other branches of knowledge.

Let us quote an example concerning demography, in particular, the problem of age groups of the population. This problem is connected with two main questions: the birthrate and "ageing" of the population. Modern demography explains the drop in the birthrate by a number of causes: the growing participation of women in production and social life, the rise in their educational level, the influence of urbanisation and migration, the increased cost of bringing up a child, etc. Here we have a whole set of economic, ethical, psychological, medical, sexological, pedagogical, juridical, religious, national and class factors. Demography closely links the problem of the "ageing" of the population with the factors of the attitude to the older generation, to the elderly. And the attitude of society to "old people" reflects the level of its civilisation. It is not just a question of old people adapting to society, but also of society striving to help them to adapt to it. This includes such questions as the social security of the elderly and pensioners, the solution of their housing and financial problems, the proper organising of their life, care and medical assistance, etc. This provides the basis for a classification both of the factors themselves, and of their consequences which influence crime.

A summary assessment of factors and their classification

We consider it expedient to divide all "crime factors" into four groups: permanent; variable and periodic; variable and not periodic; and accidental. Moreover. apart from the

concept "factor" one can also use the concept "factor realisation" which is linked with the fact that a factor itself can remain unchanged, but be realised differently at different periods of time. For a factor determines a concrete event not directly, but through its realisation. Therefore, the main tasks in the sphere of determining factors and their realisation are the following: detection of the main criminogenic and anti-criminogenic factors affecting crime; qualitative and quantitative assessment of the measure of influence of each factor (or combination of factors) on crime; establishment of the dynamics of criminogenic and anti-criminogenic factors; determining of alternative ways of "development" of crime on the basis of the possible dynamics of criminogenic and anti-criminogenic factors, changes in their combinations and intensity of operation; detecting the possibilities and trends of the active influence of crime through selecting measures that promote the optimal removal of criminogenic factors and, consequently, the reduction of crime. It is, of course, difficult to establish precisely the number of criminogenic and anti-criminogenic factors. But it is even harder to determine the degree of influence of individual factors (or combinations of factors) on crime.

We established that there are many factors operating on crime and that the influence of some of them is great, of others less, and of still others insignificant. It has also been established that with time, firstly, operating factors change qualitatively, secondly, some factors disappear and others emerge, and, thirdly, there is a constant process in which the set of anti-criminogenic factors expands qualitatively and quantitatively and the set of criminogenic factors shrinks. Studies have also helped us to determine groups of factors connected with the nature of crime as a socio-legal phenomenon.

Proceeding from the nature of crime, all factors that influence it can be divided into five concrete groups: *socio-demographic* (factors connected with urbanisation, migration, change in the sex and age structure of the population, etc.); *economic* (factors connected with problems of well-being, volume of commodity sales, scale and rate of house building, etc.); *social and socio-psychological* (factors connected with the weakening of traditional forms of social control of the individual linked with urbanisation, and also with the role of the family in the upbringing of the rising gene-

ration and the employment of women in social production; with the increase in the social activity of the population and the amount of leisure time available to the working people and the rise in the educational and cultural level of the population; with the disparity between man's possibilities and the psycho-physical stress engendered by the conditions of modern life, acceleration, and the development in the Soviet Union of tourism, private motoring, etc.); *organisational and legal* (factors connected with the passing of new laws providing for criminal responsibility for committing crimes, with problems in criminal and other legislation, with the insufficiently high effectiveness of individual legal norms regulating the procedure for meting out and execution of punishment; factors connected with the activity of the bodies that control crime, with the passing of acts of amnesty, and the pardoning of criminals, etc.); other factors not related to the aforegoing four groups. We would note here that the range of factors influencing crime is very broad. Special research is needed for a full and profound study of them.

Classification of crime factors makes it possible to direct criminological analysis to a study of the question in substance, to determine concretely the object of research. It also creates the conditions for subdividing the factors of each group (system) into their separate components, whose proportion and degree of influence on crime must be defined in connection with an analysis of other, related factors. We must not ignore the fact that in most cases we are dealing initially with a vast number of factors that can be understood only when they are classified.

General conclusion. Generalising work based on an analysis of factors must not be simply a summary, but an assessment that requires many-sided research taking the different connections of crime into account. The aim of this work is to show the important connections of this phenomenon, to reflect social reality at the level of generalisation.

CHAPTER IV

THE RELATIONSHIP OF THE SOCIAL AND BIOLOGICAL IN THE CAUSES OF CRIME

1. THE INTERCONNECTION OF THE SOCIAL AND BIOLOGICAL IN THE CAUSES OF CRIME

The concept of the relationship of the social and biological

The problem of the relationship of the social and biological in the causes of crime is of great theoretical and practical significance. The methodological direction and means of research of many other questions that are clearly connected with the need to promote the prevention of anti-social behaviour depend on its correct solution. Marxism-Leninism regards the "social" and the "biological" in social processes linked with the assessment of man, on the one hand, as qualitatively different and in this sense opposing phenomena, and, on the other, as being in dialectical unity, interpenetration and interaction. Consequently, there are no grounds for either contrasting the social and biological, or identifying the two. It is their unity, let us stress once again, that characterises them.

The problem cannot be solved simply in relation to the causes of crime either—in favour of either the social or the biological. The dialectical law of the unity and struggle of opposites enables us to discover the contradictory connection of these two trends of scientific research. In other words, the so-called biological interpretation of the causes of crime by no means proves that these causes are biological. Here we cannot proceed from the primacy of the biological. However, in recognising the primacy of the social here, we must not forget that the biological has a certain importance for the assessment of the causes of crime. Such a formulation of the problem does not contradict present-day criminological standpoints. It is methodologically correct.

The problem of the relationship between the social and biological has long concerned specialists of the most varying trends. It has always stood at the centre of the philosophical and ideological struggle and therefore been the subject of study of both the natural and the social sciences. The point of departure here is the fact that nature and society mutually complement each other. However at different levels of interaction this relationship takes different and extremely varied forms. For example, the natural (the biological in general) exists in people as the biophysical, biochemical, and physiological, and the social as the social and personal, the class, the group and the collective. For all the variety of these individual manifestations the universal relationship between the biological and social may be expressed briefly as follows: man's very nature is a product of history. This means that in the historical development of human activity the social in some way mediates, changes and develops the biological in man. This is the Marxist-Leninist approach to the problem. It is also the initial methodological standpoint for a study of the problem of the relationship of the social and biological in the causes of crime. There are certain specific features here. But the general point of departure is based on the following factors.

Firstly, the biological is by origin the general. It is akin, but not identical, to the natural, that which exists and develops in people independently of the influence of society on them. Everything inherited in people is biological, but not all the biological is hereditary (for example, the personal features of an adult which are the result of brain damage received during birth are biological, but not hereditary). The biological leaves its mark on the human personality and, consequently, on behaviour. Human biology, in analysing the problems of heredity, considers the special features of human behaviour—not random differences in the behaviour of certain individuals, but general aspects of behaviour.

Secondly, the social is everything in people that has arisen in them in the process of anthropogenesis[1] and human history and arises in ontogenesis[2] as a result of contact, social rela-

[1] Anthropogenesis: the process of the development (formation) of a physical type of person, the development of his activity and behaviour.—*Editor's note.*

[2] Ontogenesis: the basis of the origin and development of a process or phenomenon.—*Editor's note.*

tions. The social does not coincide completely with that which a person acquires in his personal experience, because not everything acquired by people in their life is social. At the same time man is social from the moment of his birth. However, the social does not arise "out of thin air", "all on its own". Man's essence lies in the sum total of social relations that grow up between people in the production of specifically human life. But the problem is to introduce each newborn person to this "essence". Without consideration of biological (genetic, inborn) qualities this is impossible.

Thirdly, the relationship of the social and biological in man is determined by a gradual reduction in the biological and an increase in the socially conditioned elements that form the individual. As Karl Marx put it in his famous statement, by changing the external world, man at the same time changes his own nature.[1] The influence of the biological features of man on his development (and behaviour) is effected by means of a most complex system of connections and relations. In real life this influence is so overshadowed by the action of the social programme assimilated by man and his own activity that the role of the biological is sometimes barely perceptible. Therefore all the biological in an individual is to a greater or lesser extent socialised. This makes the task of studying the influence of biological factors on human behaviour an extremely difficult, although soluble one. But the social should not be completely divorced from the biological either. Their interconnection is indisputable.

Here, of course, many unclear questions arise. To limit their number as far as possible, we shall provide an explanation. Let us note, first and foremost, that human behaviour, anti-social behaviour included, is subject not to biological, but to social laws. This is explained by the fact that the biological and the social do not stand in the same row, are not arranged along the horizontal line of human qualities, are not mechanically included in each other, and are not connected by any direct correlating link, by rigorous determination. The biological manifests itself in the social in a different form: the former is dialectically "sublated" in the latter. But does this mean that biological features are just a "layer" that has stuck to man as a result of his natural origin, and can therefore be removed? No, of course not. The idea of man's ability to cleanse himself totally from the "filth" of his nature is the basis of the anti-scientific approach to the problem of the individual. The social cannot completely "remove" the

[1] Karl Marx, *Capital*, Vol. I, Progress Publishers, Moscow, 1974, p. 173.

biological from man. The former, by acting on the latter, occupies a dominant position, predetermines the trend of development of biological possibilities planted in man by nature, determines the means of satisfying his requirements and, consequently, the forms and nature of his behaviour. However, the biological offers a certain "resistance" to the social and does not always "surrender". Hence their contradictions and the varied forms of solving the latter.

Obviously people are born without consciousness and inborn ideas: both are formed in the course of their life. After birth comes the complex process of the formation of consciousness, thought and language. At this time in people of each generation the formation of their social essence takes place under the influence of the social programme. It covers various age periods with varying degrees of influence of the biological. Every psychically healthy and educated person is a harmonised socio-natural system in which the natural is controlled by the socio-rational, and the social corresponds to the biological. If the one really does correspond to the other, the person is capable of regulating his behaviour.

Of course, the biological is by no means the determining cause of social development. For that which remains almost unchanged throughout millenia cannot serve as a basis for improvement of that which undergoes radical changes within centuries, even decades. Biological processes develop more slowly, and social phenomena more quickly. But this does not prove that the "biological environment" is isolated from "social life". This fact is a manifestation of the autonomous nature of the process of transforming man, which, however, does not mean that his biological nature is infinite and unchanging. Therefore, it is essential to speak of the biosocial systems that concern man, his life and behaviour.

The criminological study of the interconnections of the social and biological

Rejecting the mechanistic interpretation of the relationship of the social and biological, Soviet criminology bases itself on the Marxist-Leninist teaching, from which it follows that man exists with his biological, psychical and social qualities, and that their interconnection must be taken into account in the study of crime and its causes, the criminal personality and the prevention of anti-social behaviour. However, let us stress once again, the social nature of man is dominant, decisive. The social, unlike the biological, is acquired by man not from birth but during life. But it does have certain biological prerequisites. No matter how the social develops, man always remains a biological creature. Man is a biosocial system. This by no means denies the fact that his essence is social.

Underestimation of this fact by criminology leads to an incorrect interpretation of the relationship of the social and biological: if the formula "biological stimulus—biological reaction" forms the basis of the biologisation of the individual, the foundation of vulgar sociologisation is another incorrect formula "social stimulus—social reaction".

Criminology, which directs all its research, in the final analysis, to the prevention of criminal behaviour, cannot manage without biology. An analysis of the problems of heredity is particularly important here. Genetics, the science of heredity and variability, may come to the aid of criminology. The importance of the criminological study of genetics is determined by the fact that it has a direct bearing on man, on his biological essence. The successes of criminology are to a certain extent linked with biological research, with analysis of genetical data. This is why criminologists must be constantly informed of the latest advances in genetics. Today genetics has won the key position in biology and is organically growing into a number of other branches of knowledge concerned with the study of life and man. As for human genetics, in this sphere attention is increasingly being focused on the mechanism of inheriting various biochemical disorders, the genetic prerequisites of psychic activity, tissue incompatibility, and certain other pressing problems. Genetics has shown that in place of the earlier formula "heredity or environment" we must use the formula "heredity and environment".

Genetic problems. Science has already discovered genetically predetermined norms of human reaction to various factors of the social environment. Obviously criminologists not only cannot reject these genetical achievements, but are bound to proceed from the fact that in studying this or that human feature the assessment not only of the social environment, but also of the norm of reaction on this environment is of importance. The norm of reaction, however, can be determined by heredity too. Hence the importance of a study of people who commit crimes that takes into account their psyche, the effects of hereditary diseases, etc. This also enables us to study the causes of crime in the complex of phenomena and processes, both social and biological, that take place in human life.

In analysing the relationship of the social and biological in a study of the causes of crime, it is necessary to stress

that consideration of biological (genetic) problems can largely predetermine the organisation of preventive and educational work. It also enables us to take into account people's different predispositions to behaviour in this or that situation (which is linked with their biological qualities) and to conclude how to organise differentiated, individual preventive action.

Not every person is free of such innate qualities that promote the formation of anti-social behaviour and, consequently, the committing of a crime. But in speaking of innate qualities characteristic of people we must bear in mind, firstly, that not all criminals have perverted, criminogenic psycho-physiological qualities. It is always only certain individuals and, consequently, certain categories of crime. Secondly, the proportion of criminals possessing qualities of criminogenic significance may be the same as the proportion of people with such qualities who have not committed crimes. Thirdly, a certain person's predisposition to crime does not mean that he will commit a criminally punishable act.

The criminologist must remember that new possibilities have long existed for studying the structure and laws of man's biological, psychical and emotional life, his social and moral behaviour. The biological and genetic study of man has acquired a special importance. Let us repeat once again: the individual is not a purely social phenomenon. Every individual contains manifestations of a biological, not only social, nature. It is perfectly correct to speak of man's bio-social nature. The biogenetic dispositions of the individual, the special features of his type of higher nervous activity, temperament, physical strength and a great deal more – everything is connected, in the final analysis, with the conditions of his social existence.

An approach to the study of the causes of crime from the social and biological standpoints

It is clear that a crime (as the logical consequence of anti-social behaviour) cannot be explained by some eternal urges, instincts, implanted in a person by nature, biology, genes. All attempts at such an explanation have failed, because the basic biological requirements by no means exhaust man's motives and aspirations. Under the influence of the social

environment inborn instincts are overlaid with secondary, social appetites. However, biological activity is also part of the structure of motives of human behaviour, including crime, although its role is limited. There are no inborn social or anti-social programmes of behaviour. A socio-positive individual can be formed on any biological foundation (excluding pathology), just as a socio-negative one. This depends on the social conditions, on the specific nature of the social environment and education. But all the same we must not forget that concentrating attention on purely social characteristics without considering human needs and qualities connected with man's biological and psychological features is fraught with unpleasant consequences in the assessment of behaviour. It is a question of human behaviour. A crime can be no exception.

In studying the problem of the social and biological in the causes of crime, it is necessary to know, first and foremost, man's actual nature, his essence. Karl Marx called those who did not distinguish man's essence from the forms of his existence, did not recognise man's nature and did not understand the methodological importance of defining it "geniuses of bourgeois stupidity". He stressed that if we want to find out what is useful for man, and what is harmful, we must deal with human nature in general, and then with human nature as modified in each historical epoch.[1] Here we must see not only the distinction between essence and existence, but also the fact that the forms of manifestation of man and his essence change. Proceeding from this proposition, we can say that the social nature of man is his specific feature. The biological is not the main element in man's essence, because it is not only inherent in man. It is only the material for man's development, for the formation of his social qualities, features, and abilities. The turning of this material into a person, as has already been noted, is the result of social action.

It is of methodological importance to study the mechanisms of the concrete interaction of man with his environment and the formation of his social nature. The social environment is the direct source from which man draws his knowledge, experiences, and motives. But does this mean that the repre-

[1] Karl Marx, "Theses on Feuerbach". In: Karl Marx, Frederick Engels, *Collected Works*, Vol. 5, Progress Publishers, Moscow, 1976, pp. 4-5.

sentatives of a social environment become completely identical under its influence. Of course not. People are endowed by nature with individual features, different types of higher nervous activity, different capacities to feel and think, different volitional qualities, instincts, etc. On the one hand, all these qualities necessarily, although in differing degrees, affect the concrete results of a person's mastery of social experience. On the other, these qualities themselves change under the influence of social action. Hence the question arises as to what socio-biological potential of development a person has and how this potential can be realised without harming the development of his personality, the formation of his behaviour, his physical, psychic and moral health. Here the problem arises as to how to "suppress" the potential possibilities of anti-social behaviour and the various other manifestations that contradict social development. Obviously not only social, but also medico-biological means should be used for this.

In analysing the problem of the causes of crime, the criminologist always studies the biological aspect in some way or other, even when he does not wish to take it into account. For the interconnection of the social and biological cannot be regarded in any sphere of scientific knowledge as the relationship of totally different, clearly demarcated aspects. "...Everywhere in Nature and society, the lines of division are conventional and variable, relative, not absolute."[1] Consequently, it is impossible to determine precisely the proportion of the social and of the biological in causes of crime. We must proceed from the fact that all phenomena of nature and society, including man, are in a constant state of development, owing to which the ratio of the social and biological also changes. But not everything changes in the same way and at the same time. Therefore it is hard to call certain individual features in the causes of crime either purely biological or purely social, without their, albeit relative, connection with each other. It is hard to distinguish in the phenomena of nature and society, in man (if we take his life as a whole) the major and the minor, the determining and the determined, the external and the internal. The components that go to make up any "biosocial system" exist and

[1] V. I. Lenin, "Under a False Flag", *Collected Works*, Vol. 21, p. 146.

operate in indissoluble unity and interpenetration. The life of any person proceeds simultaneously in two forms of matter: the biological and the social. In studying the causes of criminal behaviour, this fact must be constantly borne in mind.

2. BIOLOGICAL PROBLEMS IN THE CAUSAL COMPLEX OF ANTI-SOCIAL BEHAVIOUR

An analysis of biological problems in connection with human behaviour

Without going into a detailed analysis of the viewpoints of scientists concerning the biological problems of anti-social behaviour, we would note that all of them, even those who are opponents of "genetic conceptions", do not deny the need for a study of general "natural features" in criminological phenomena. These standpoints are based on the fact that man is a biological being, but changes into a member of society, acquiring his own essence as a social type. In studying anti-social behaviour special attention must be paid to sex, age and psychic qualities. It is these features and qualities that ensure a person, within the limits of his age, sex and constitutional-neurodynamic potential, the possibility of adapting to the natural and social environment, and also the transmission of genetic information and the individual existence programme (biological heredity) in natural and social conditions. However, a person's biological features (qualities) manifest themselves and develop on different social bases and lead to different consequences.

Of course, there are no special genes for inheriting such social features as criminality. It is a matter not of "special genes", but of biological indications that play a negative role in human behaviour, particularly those that are not transformed in social conditions. For social heredity, like genetic heredity, contains many vestigial elements. Can such a "defective" social heredity help us to "correct" negative genetic indications? And if it is possible to transform "vestigial elements" of social heredity, why is it impossible to do the same (within permissible limits) with genetic heredity? For in the development of the individual, in the process of the formation of his behaviour the social factor plays the active, leading, formative role, and the biological factor a relatively passive role. Social heredity must not be seen as

a constantly changing category, and genetic heredity as a completely unchanging one. Anti-social behaviour is influenced by both social and genetic (biological) indications, but both the former and the latter can change in the process of the development, education, and if necessary treatment of the individual. Correcting human behaviour with the help of medical means is not only possible, but also necessary, humane, and in keeping with both moral and legal requirements.

It is true that people differ from one another in inborn temperament or character and types of higher nervous activity. This was not given to them by society, but rather influences their role in society. But it does not determine the main thing in the individual. The individual personality is developed largely by what it wants to be in the course of development. A person's behaviour (activity and life) does not depend on his innate peculiarities and features (formerly people used to say they were from God, but now from genes), which are genetically inherited, inborn, and therefore inescapable. The presence of a physiologically normal brain is a material prerequisite of the personality, but is not the personality itself. The process of the emergence of the personality is the process of the transformation of biologically given material by factors of social reality. However, for normal human behaviour (life and activity) a certain minimum of "genic equipment" is needed.

It must be agreed that certain variants of inborn peculiarities of the personality in a number of cases make a person's social adaptation difficult, but if an education programme takes these peculiarities into account, they can be socially neutralised. It must also be accepted that a negative behavioural act is not connected with these inborn peculiarities, but with shortcomings in the education programme that has not taken them into account. Naturally, it is essential to look for the indirect, not the direct relations. But it is extremely important to take them into account for a study of crime and its causes, the criminal personality, and for organising the prevention of anti-social behaviour.

Biological needs and behaviour

Many biological factors have a considerable influence on the content of human needs. And consequently on human behaviour also. "No one can do anything without at the

same time doing it for the sake of one or other of his needs and for the sake of the organ of this need..."[1] In this case physiological (biological) needs are distinguished in particular. Marxism categorically opposes underestimation of the biological element in human needs. The needs of each person develop on the basis of certain genetic dispositions. However, this does not mean that human (biological) needs can be considered apart from the social environment. Karl Marx drew attention to this point also, stating that "the number and extent of his (the owner of labour-power) so-called necessary wants, as also the modes of satisfying them, are themselves the product of historical development, and depend therefore to a great extent on the degree of civilisation of a country..."[2] It is this that also determines the ratio of the social and biological in satisfying a person's needs. Hence also the corresponding assessment of his behaviour.

Any biological human need can be and is, as a rule, satisfied by socially elaborated means. The satisfaction of physiological (biological) needs is not connected with social factors only when extremal conditions (a state of extreme "inhuman" hunger, etc.) arise for a person. However a person satisfies (can satisfy) his biological needs in accordance with the requirements of social norms. In this sense he constantly feels all kinds of social, economic, legal, physico-biological and other restrictions. Going beyond the framework of these restrictions is frequently connected with the infringement of social, moral and legal norms.

We must also mention many factors that influence the rate of a person's development, his physiological maturing, which are of an hereditary nature and extremely important. There can be no doubt that early or late maturing affects a person's behaviour. Heightened sexual appetite is characteristic of people who mature early. And this is not divorced from the satisfaction of certain biological needs. Moreover, geneticists associate many other hereditary problems with legal offences. This is particularly true of young men, whose social experience is inadequate.

We do not attach absolute importance to the satisfaction of biological needs, which incidentally are not simply that

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[1] Karl Marx and Frederick Engels, "The German Ideology". In Karl Marx, Frederick Engels, *Collected Works*, Vol. 5, p. 255.
[2] Karl Marx, *Capital*, Vol. I, p. 168.

a person must eat, drink, etc., but it should not be completely ignored. This concerns in particular such "outbursts" or even "explosions" of human behaviour which are connected with the satisfaction of biological needs in special situations.

The human psyche and anti-social behaviour

The above analysis enables us to conclude that man is characterised by a certain biological organisation and that he also has a certain hereditary behaviour programme. His instincts and needs exist on this foundation. But it must be noted that biological peculiarities also determine the nature of nervous processes, temperament and other psychic qualities of man. These qualities, being independent, are effective (although in "sublated" form) for social forms of behaviour. Hence it follows that a study of anti-social behaviour should be made on the psychological level as well. This aspect of research can reveal the connection of psychic states and processes (intellectual, emotional, volitional), psychic qualities of the personality of the offender (inclinations, temperament, abilities, character) with his anti-social behaviour. It is this that determines the interconnection of a person's psyche and his behaviour. This is particularly true of criminal behaviour.

Analysing criminal (anti-social) behaviour, we must bear in mind that the psyche in one of its meanings can be regarded as the connecting link between the social and the biological. This "link" brings us to the psycho-physiological aspect of research. In this connection a word must be said about the border discipline of psycho-genetics, which studies a fairly wide range of features. But this discipline concentrates mainly on higher psychic functions. The connection of criminology with this discipline is essential for solving the theoretical and practical problems of crime control.

In studying the problems of a person's psyche in connection with his anti-social behaviour, Soviet criminology is guided by the following conclusion: there are no grounds for assuming that the content of the psyche, that is, everything that characterises a person as an individual—his world outlook, moral and ethical values, goals, aspirations, interests, intellect and will, are determined by a genotype. On the contrary, there is every reason for stating that these "indications" are of social origin and are passed on from

generation to generation only in social continuity according to a "social heredity" programme. They are not coded in a genome. It is a different matter with dynamic characteristics, that is, the formal parameters of the psychic process (and the nervous process on which it is based), or with the characteristics of a person as an individual. Reflecting the physiological qualities of the material substratum of the psyche, they may be formed according to a genetic programme. But here too it is unlikely that everything can be explained solely by a genotype.

This is the initial position that should provide the basis of criminological investigation of a person's psyche in connection with his anti-social behaviour. The important thing here is a concrete analysis of the person's features, qualities and behaviour.

In relation to the causes of crime we cannot, it would seem, ask the question: are certain psychic mechanisms programmed in advance? It is clear that the reply to such a question can only be negative. We must bear in mind that the psyche as a social phenomenon is connected with the infinitely complex set of factors that influence a person's development. Here the biological can also be represented as a prerequisite of the psychic. However, the psychic in its turn is also capable of influencing the physiological. In this complex system of interconnections and interdependencies each element plays its own role. The biological however, firstly, plays a secondary, not the main, role, and, secondly, manifests itself "dully", not clearly. But this does not mean that it should not be studied.

Data from psychology and medicine, particularly psychiatry and psychopathology, are frequently of considerable interest for an understanding of the psycho-physiological mechanisms at the basis of many important forms of behaviour. It is well known, for example, that in the majority of people positive nervous-psychic and social qualities prevail over negative ones. However, there are people in whom negative nervous-psychic and social qualities prevail over positive ones. This sort of ratio turns people into one-sided, unbalanced individuals. Some offenders by virtue of their psychic unbalancedness and quarrelsome disposition feel discomfort in normal, peaceful conditions of life. They are impressed by acute situations, human suffering, etc. They make use of any pretext to create conflict situations. Such behaviour is not free of psychic anomalies. It is linked, as a rule, with malfunctioning of consciousness, thinking, memory, with degeneration of the personality as a whole, and of the human psyche. And this,

as practice has shown, often leads to crimes. Consequently, a study of these problems from the criminological point of view is most necessary.

A person's strictly individual psychic peculiarities, which are connected with his biology, play an active, not passive, role in the development of behaviour. Anti-social behaviour, for example, can be noticeably influenced by various psychic and physical deviations and defects, by abnormal mental activity. The psyche of persons who commit serious crimes, sometimes accompanied by clearly "inhuman" actions, may have been disturbed from the outset by genetic deviations. It is possible that such people may lack the ability for normal psychic perception, some of their abilities may be perverted. Studies even of persons who have committed murder with intent show that it is precisely among criminals of this category that one most often finds people with psychic abnormalities.

We must bear in mind that the existence of psychopathy. mental backwardness and other manifestations of psychic inferiority in some cases can lead to the commission of a criminal act, facilitate its realisation, narrow the possibility of an alternative choice of action, occasionally introduce strange "motivation" and reduce the possibility of self-control, etc. But can such psychic inferiority be the result of social factors alone? We obviously cannot do without a study of the anthropological laws connected not only with sociology, but also with the functioning of the human brain, the human psyche. Without taking biological elements into account we cannot give a sufficiently full explanation of the "psychological extremity" that we call a crime, nor can we adopt a proper individual approach in the prevention of anti-social behaviour. Therefore these genetic (biological) problems have, first and foremost, a profound social significance.

The influence of hereditary diseases on anti-social behaviour

At first glance it may seem that criminology should not be interested in whether the psychic anomalies of offenders are inborn or not. However, practical workers are concerned mainly with the problem of the prevention of crime committed by persons with psychic deviations. But this is extremely difficult for them because people with such devia-

tions act in a most unexpected way. On the other hand, in order to prevent crimes committed by this category of persons it is essential to know the true causes of their anti-social behaviour, assessed as a whole, of course. Juridical means and methods alone cannot be sufficiently useful. Practical workers must be assisted, first and foremost, by medicine, for we are dealing with the influence of hereditary diseases on anti-social behaviour. Obviously we cannot do without medical prevention (and treatment) in the future. Already today the conscious protection of heredity is becoming urgent. Society is carrying on considerable work concerning the prevention and treatment of many hereditary diseases. Medicine and juridical practice, acting jointly to organise the prevention of anti-social behaviour, will have to base themselves on new social conditions which can provide the opportunity for a conscious transformation of a person's genetic programme, should it need "correction". This will be a new trend in the state's prevention work. For a person suffering from hereditary diseases and leading an anti-social way of life in connection with this, one cannot create two independent programmes of preventive action—a "genetic" one and a "social" one. There must be a single, comprehensive programme.

A most important aspect of a healthy way of life is a person's harmonic performance of his socio-biological functions, which is connected with the unity of his physical and spiritual development, the correspondence of his thoughts and actions. The social indices of this way of life are characterised by the satisfaction of human needs in work, contact, rest, medical care, and social security (in the broad sense of the word). But a healthy way of life is also characterised by a biological measure that embraces the most varied aspects, levels and means of activity of man as a special natural being. Anthropological data, neurophysiological and immunological peculiarities, typal and individual features, sex and national differences, inborn and acquired biological features—all this is reflected in the way of life of individuals and groups distinguished by natural quantitative and qualitative indices. The healthy way of life and its realisation depend to a large extent on subjective factors, on personal value attitudes aimed at self-expression and assertion of a person's psycho-physical potential.

Human problems relate to various branches of knowledge. We must not overlook in this case the problems of controlling hereditary diseases which often lead to anti-social behaviour. This behaviour should be contrasted with the healthy way of life. In order to "cure" the criminal, we must know what sort of "health"

he should have, what sort of person he should become and how he should behave. Comprehensive social prevention is directed precisely towards this.

Science now knows of more than two thousand different hereditary diseases in the emergence of which an important role is played both by direct genetic causes and by environmental conditions and their different quantitative and qualitative relationships. The role of the hereditary factor in the emergence of schizophrenia is universally acknowledged, of course. At the same time in recent years the view that every hereditarily determined disorder is a primary biochemical disorder has gained ground considerably. Certain criminologists regard the problem as follows: "Insane persons are not criminals, and their behaviour is the result of disease." However, criminology should take an interest in all crimes, first and foremost, from the point of view of their causes and means of prevention. In the structure of crime, however, one can single out acts which are committed by insane persons. The influence of hereditary diseases on crime is obvious here. Psychic diseases are one of the pressing problems of present-day social development. It is roughly estimated that at the beginning of the 1970s there were seventy million people with psychic disturbances in need of hospitalisation in the world. In some economically developed states there were as many as 110-140 per thousand of the population. This is explained largely by the considerable nervous pressure related to the growing complexity of social life under the scientific and technological revolution, and also by the growth in the number of biological factors that have a negative influence on the human psyche. In recent times the number of genetic anomalies has increased particularly noticeably, giving rise to great concern and suggesting that care for physically healthy progeny should begin not with a child's birth, but with the way of life of its parents.

The criminological aspect of these problems is closely linked with sociology, psychology, medicine and other sciences. In solving problems of social prevention, these branches of knowledge should proceed from the fact that the present level of the development of society is capable of preventing, compensating and changing certain genetic (and, of course, non-genetic) anomalies, of adapting various genetically (and non-genetically) degenerative phenotypes to full social activity. It must be remembered that

a person begins to regulate his activity at the very first stages of his existence. With regard to genetically inferior people who possess all the human dispositions, they cannot, of course, ensure the normal human ontogenesis of their organism outside and without society. Obviously the problem concerns not only certain individual trends of social prevention, but the activity of the state, the society as a whole.

No matter what is a person's genetic programme, it does not predetermine his whole future ontogenesis. Developed socialism opens up great opportunities for the creation of the best conditions for ensuring for all people a full development of their positive qualities and prevention of negative ones. In the Soviet Union, as hereditary diseases and the role of social factors in them are being studied, our knowledge of a relatively new sphere of science and practice is growing increasingly—clinical genetics and the related system of medico-genetic consultations and other measures designed to improve and strengthen the genetic basis of a person's development. What is needed is a special sphere of "education" and "treatment", closely connected with the prevention of various forms of deviant behaviour. Here criminologists can find their own special place. For all intervention in the treatment of hereditary diseases must be carefully justified. In this sphere ignorant meddling with a person's fate is totally impermissible. Criminologists must be highly responsible in the work of preventing crimes that are committed, in particular, as a result of genetically conditioned diseases, and all diseases in general. Criminologists must know medicine, genetics and hereditary diseases. Hence the need for training the necessary specialists. The participation of criminologists in this work is determined by the objective need for and real possibility of carrying it out.

The emergence of various psycho-physiological diseases, anomalies and pathologies and, consequently, the appearance of special biological causes of crime are promoted by alcoholism. It frequently leads to the most serious hereditary diseases which have a definite connection with anti-social behaviour. Alcoholism acts on the biogenic amines, the extremely important psychic co-links that determine the activity both of the central nervous and vascular systems. In connection with this, and also with the consideration of many other negative effects of drunkenness, the problems

arise of complex, socio-legal and medical prevention of alcoholism.

In evaluating alcoholism and its effects from the biological (genetic, psycho-physiological) standpoint, it is essential to take account of the fact that alcohol affects both the drinkers themselves, other people and society. The problem of the effect of this disease on children is particularly acute. And how many sick people there are among alcoholics who suffer from psycho-physiological disturbances! Obviously these problems cannot be considered apart from anti-social behaviour, apart from crime and its causes. Moreover, information concerning the "progeny of alcoholics" is of special importance for criminological forecasting, for the comprehensive control of violations of legal and moral norms, for eliminating the causes of these violations. Social forecasting can provide essential concrete material for organisating this control.

Psycho-physiological stress and its influence on crime

Under the scientific and technological revolution, the problem of psycho-physiological stress is acquiring a special urgency. Everything, even solar activity, affects man, his condition and behaviour. He is constantly experiencing the influence of the cosmos. Each person has his own biorhythms. He is by no means unaffected by the ecological environment either. In brief, man is in constant and diverse contact with the socio-technological conditions in which he lives and works. These conditions, the conditions of modern life, not only change very rapidly, but also grow more complex. Man's biological qualities, however, have remained more or less what they were a hundred years ago. Thus, the problem arises of the contradictions between the "conservatism" of the biological and the accelerated development of the social, the problem of the individual's adaptation to the most complex conditions of social being. As a result people's physical, emotional and other biorhythms are often distured. All this demands constant tension from them, both biological and social. The result of tension which a person experiences is not only general physical tiredness, but also nervous-psychical and emotional stress. This is what we call psycho-physiological stress. It cannot fail to influence

people's behaviour, to create various stress and conflict situations. Occasionally the effects of these burdens also lead to illegal behaviour, crimes. Therefore the study of the criminogenic effects of psycho-physiological stress on man is of particular importance.

As life shows, today the industrial changing of the natural environment, its transformation, is not always desirable for the activity of the human organism and psyche. The problem of adaptation to various chemical and toxic substances is becoming increasingly acute. In the course of these transformations of man's life and socio-technological environment, transformations which have many nuances, incidentally, concerning psycho-physiological stress, the lagging behind of people's adaptational possibilities may not only arise but also increase. New genetic, allergic, and endocrinological diseases have been discovered recently. Their spread is closely linked with the extensive use of new substances and types of energy, with changes in man's chemical surroundings. A considerable place in the structure of the general rate of disease is occupied by malignant neoplasms, cardio-vascular, and nervous and psychic diseases. Of course, the causes of anti-social behaviour cannot be connected directly with this problem alone. We must also proceed from the fact that various psycho-emotional and biological disorders are the result of the growing complexity of relations between people and of changes in ways of life, particularly in large cities. Therefore in studying the causes of crime in connection with the foregoing it is necessary to assess the complex of problems, without, however, overlooking the biological aspect. In studying the causes of anti-social (criminal) behaviour, contradictions and conflicts that frequently lead to crimes, criminology must take account of the fact that in an age of rapid scientific and technological progress and social mobility people's former psychological separateness is eroded and all the channels of the intellectual and emotional relations between them are becoming full up, and occasionally overloaded. The nervous system is subject to the constant and ever-increasing influence of various psychic factors, negative ones included, and sometimes cannot cope with them, as a result of which morbific situations arise in the life of people and collectives.

As an example let us quote concrete statistics of the Institute of Therapy of the Academy of Sciences of the USSR:

in 80 per cent of cases myocardial infarction was preceded by an acute psychological trauma or prolonged tension as a result of a conflict situation at work. But this is not all, unfortunately. The results of investigations also show that conflicts may lead to stresses and even nervous diseases. All this has a most negative effect not only on people's health, but also on their behaviour. Such conflicts are anomalies in human behaviour. The causes of crime in such cases are frequently rooted in the disturbed regulation of the life processes of the organism by the nervous system. The increased demands made on people by a "busy" life create the need to reorganise their physiological functions on a higher and more complex level, and not everyone succeeds in doing this, particularly in complex psychological situations. Modern criminology cannot overlook these factors in a study of the causes of crime and the nature of anti-social behaviour.

CHAPTER V

THE CRIMINAL PERSONALITY AND ITS ANTI-SOCIAL TENDENCY

1. THE CRIMINAL PERSONALITY IN THE SYSTEM OF SOCIAL RELATIONS AND ITS PECULIARITIES

The problem of the individual is of a universal nature. It touches directly upon the class interests of all strata and groups of society, the fate of each person. Many sciences study the individual, each from the viewpoint of its own subject. Karl Marx regarded the individual as a concrete person who lived in society and was the bearer of the various norms of society, class and social group. The individual (as a concrete person) acts in accordance with these norms, struggles for their strict observance or, on the contrary, violates them. Therefore the individual is not only the subject, but also the object of knowledge. For criminology the object of study is a special type of individual—the criminal individual.

The personality of the criminal as an active being

No person with a rational mind can be regarded as a passive product of his environment, the society in which he lives. This also applies to the criminal. Like any other individual, he influences the environment and society and experiences the reverse effect, and his life is action. This explains why the criminal is assessed as an active being, whose way of life leaves a decisive mark on his make-up. From the viewpoint of his individual, subjective peculiari-

ties, the criminal is a person, an individual, who consciously defines his active relationship to the world around him. A person (and this applies fully to criminal), who is not capable of committing conscious actions, answering for his acts and his behaviour as a whole, for his attitude to himself and society lacks the necessary qualities that characterise him as an individual. For a newly born person to become an active individual, he must go through the corresponding stages of natural (biological) and social development. He must not only reach a certain level of physical and mental perfection, but also acquire the experience of contact with other people necessary for the life of an active being. The criminal individual, as an active being, comes under these general definitions. For the simple "formula" of life is characteristic of him too—after birth a person first learns to regulate his body, to coordinate his movements, then masters the ability not only to regulate his relations with his fellow creatures, his behaviour, but also to assess his actions, to answer for them. All types of individuals, the criminal included, develop mutual relations with those around them, with a complex and ever-widening system of active functions in various spheres of society.

The posing of the problem of man already in Ancient Greek philosophy and medicine was linked with the unravelling of a mystery, a secret. Man is the most complex phenomenon of the objective world. In fact what we know about man is very little compared with what we do not know and will perhaps not find out for a long time. The paradox lies in the fact that it is much harder to understand man, than the actual theory of the personality.

On the subject of the personality structure, the variety of personal qualities and their combinations is so great that it is expressed in the phrase "the personality is unique". But all this variety is subject to scientific study, because the personality has both a general structure as well as special structures that concretise the general one. They, firstly, enable one to distinguish various types of personality, and, secondly, determine fairly accurately the limits of its study. But criminology studies not the personality in general, but only a special type of personality, the personality of the criminal.

The interconnection of the personality of the criminal and society

The study of the personality of the criminal is characterised, first and foremost, by the so-called personal approach which is a most important methodological principle for studying a concrete person, his behaviour, life and activity. But this does not mean that in studying the personality of the criminal we can proceed only from a particular type of individual and a description of the acts of his individual criminal behaviour, and not from the forms of social activity and social relations inherent in the social system as a whole.

The personality as an integral system is mobile, dynamic. It changes and develops depending on the improvement of social relations, the development of the social environment of society. Consequently, the personality of the criminal is a product of the social environment, of society. It is always a concrete unity of the individual (singular), the particular and the general. Each personality has special features which are inherent in a certain community of people. The problem of the personality may be solved if we see the personality in each person. Therefore we must not judge personalities as a select category of people. This would deprive the concept of personality of objective criteria and possibilities of elaborating the problem scientifically. This requirement applies to all branches of knowledge, criminology included. An analysis of the problems of the personality by any science is based on the fact that man is the real bearer of all the socially significant features and relations of society in which he carries on his activity.

> The individual is a set of social relations. These are, first and foremost, the harmony between the individual and society, which presupposes the mutual nature of their requirements. There is no harmony if the individual does not heed the interests of society, disregards his obligations to society and adopts a consumer attitude towards it. No one has the right to flout the interests of others to benefit his own interests. The harmonious relations between the individual and society mean harmony between that which the individual demands from others and that which he must give them, harmony between his rights and obligations. Here the main thing is achieved: each person becomes aware of himself as a part of mankind.

The personality is the concrete expression of man's essence, the integration of socially significant features and social

relations realised in a definite way in man, and connected with the essence of the society. However, in order to study it from this standpoint we must distinguish two main approaches. The first of these is characterised by special attention to factors that are external to the personality. They are regarded as a system of stimuli that act upon a person and form his views on this or that aspect of society and social development. In this case the personality is seen as the effect of certain socially significant actions. The second approach is directed to the personality itself, to the inner motives for its behaviour. The task of any science that studies the personality is to combine these approaches, by taking man both as the cause and as the effect of socially significant actions. The study of the personality is, therefore, as inexhaustible as the study of society itself.

Marxism-Leninism teaches us that man and society are a dialectical unity. Society is the condition and the result of the life and activity of people, the product of their interaction. The objective essential forces of the personality are embodied in the social structure of society, in the system of social relations, in the forms and results of the activity of each person. It is to this that the Constitution of the USSR refers when it speaks of a society of mature socialist social relations, a society in which the law of life is the concern of all for the good of each and the concern of each for the good of all. Man cannot live, work, and act outside society, outside social relations. In the USSR the private and the public are organically interwoven. Man is an ensemble of social relations, as it were, within which and by means of which his social qualities are formed. Therefore how the personality develops and will develop depends on society. It is the essence of the social system that ultimately determines the nature of the problems which arise in connection with a person's life and activity. Man's spiritual life is made up of three elements: his private life, his connections with society (mainly the people with whom he lives and works) and his activity as a citizen of the state. For each person the satisfaction of the needs of his private life is of an individual nature. A person in a state should observe its laws, and in a society live in accordance with its traditions. In socialist society the interconnection of social and private interests, their unity, is strengthened. Public interest increasingly becomes personal interest, determining the individual's orientation, forms of activity and behaviour. It is this, inter alia, that ensures that the overwhelming majority of people voluntarily observe socialist law and order. The right of citizens to demand "something" from society is organically combined with society's demands on the individual. One cannot take without giving something in return. Every person is called upon to make a conscious contribution to the common cause, to be responsible for his actions. There is a direct link between what society gives a person and what a person

gives society, other people. This is social justice. It presupposes both the improvement of the individual, and the progress of social development.

The fate of the individual is not overshadowed by the fate of society, of the state. Each individual has his own "make-up". Individuals differ in their social, moral, legal, cultural and other qualities. There are individuals with a strong sense of civic duty, and those with a weak sense. Criminology studies the individual that does not observe social requirements, that violates the criminal-law norms existing in the state, the criminal individual. The latter plays a role that is dangerous for society and thereby challenges society. But, of course, in relation to such people it cannot be said that they are not personalities. With a certain amount of conventionality we call them criminal personalities. Of course, the fact of violating criminal-law norms does not turn a person once and for all into a criminal personality. This type of personality under socialism is a temporary type that is dying out. The very concept that "the criminal is a type of personality" is justified as a scientific category only when it embraces features that are indissolubly interlinked with the features and qualities of crime. We can speak of a criminal as a type only in relation to the phenomenon of crime. In relation to socialist society, however, this is not a typical personality.

The criminal personality in the system of social relations

The recognition of the social essence of the personality leads logically to the conclusion that in order to change a person one must transform the social relations in which he lives. Therefore criminology cannot study the criminal personality outside its connection with society and outside the main principle of the conditioning of the social essence of the personality in question by social relations. The social in the criminal personality is the general and essential that is directly determined by social relations. It is this social element that expresses the indissoluble dialectical connectiou of this type of personality with social relations. But this is only one aspect of the matter. The other is that the social in the criminal personality is a process based on the changing of "external" social relations into the "inner" structure

of a person: his needs, interests, attitudes, orientation, direction, etc.

As Marx and Engels pointed out, "the real intellectual wealth of the individual depends entirely on the wealth of his real connections."[1] Later Lenin wrote that "the materialist sociologist, taking the definite social relations of people as the object of his inquiry, by that very fact also studies the real *individuals* from whose actions these relations are formed".[2] These propositions are points of departure for solving the problem of all types of personality.

This applies to the criminal personality also. It is to a certain extent one of the forms of the individualisation of social relations, which does not mean that the transformation of social relations into individual features is arbitrary from the point of view of a concrete person. The individual creates "his own social relations" thanks only to contact with other people. The criminal personality is characterised by "non-influential" social relations. This does not mean that the criminal personality can be regarded in isolation from social relations as a whole. We must bear in mind that there is a system of different forms of relations, including those that are connected with the criminal individual and his behaviour, attitude to society. Ignoring this approach makes it difficult to understand the dialectical interconnection of man and society, society and the criminal.

The nature of the individual's social relations ultimately determines his attitude to the social order, to his own behaviour and the behaviour of other persons, to legal norms, and to his own acts and actions. Here we are dealing with individualised social relations. And we proceed from the fact that the social order is an integral part of the system of social relations. These relations are connected with the sphere of ensuring law and order, and, consequently, with the sphere of legal relations. The existence of a connection between the personality and legal relations is confirmed by the fact that no juridically significant behaviour is an isolated act of a single individual committed in isolation from other persons and from society as a whole. All behaviour, anti-social in-

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[1] Karl Marx and Frederick Engels, "The German Ideology", *Op. cit.*, p. 51.

[2] V. I. Lenin, "The Economic Content of Narodism and the Criticism of It in Mr. Struve's Book", *Collected Works*, Vol. 1, 1960, p. 406.

cluded, is considered in the system of social relations, in interconnection with other people. For the main content of individualised social relations is the behaviour of concrete people. These relations are a form of how people behave in society. One of these forms is anti-social (criminal) behaviour.

The concept of social relations is interpreted fairly broadly, particularly if it is regarded as a philosophical category. However there are different classifications of social relations. We can speak, for example, of relations in the sphere of everyday life, work, the economy, international cooperation, etc. In the sphere of law legal relations arise. We assume that one can speak of social relations both in regard to the committing of crimes and in regard to their prevention. These are criminological social relations. They are connected, firstly, with anti-social (criminal) behaviour, and, secondly, with its prevention. The concept "criminological relations" is broader than the concepts "criminal-law relations", "criminal-procedure relations", "corrective labour relations", and so on. It synthesises, as it were, all the social relations that arise in connection with crime.

Criminological relations can be characterised in the narrow and the broad meaning of the word. Here we must proceed from the fact that they arise between the individual and society in the sphere regulated by law (the concept in the narrow meaning), and in the sphere regulated by norms of both law and morals, even more broadly—by social norms (the concept in the broad meaning). However, it is necessary to mark the criminological "frontiers" of social relations, the limits of their action and influence. Establishing these "frontiers" does not mean that social relations of a criminological nature can be regarded outside the system of social relations as a whole. A most important criterion for assessing these relations is their place and role in that system. Social relations are heterogeneous, just as society is socially heterogeneous.

Criminological relations arise and exist at the juncture of social relations and legal relations. These three concepts of relations are indissolubly linked, although they are also characterised by certain specific features which are of exceptional importance for understanding the nature of human behaviour. However, by assessing them as a whole we discover the social features of the criminal personality, find out what

a concrete person is like as a personality, what his connections with other people are, reveal the social status of this type of personality, study it as a subject of social relations, as a person performing various social roles. The whole inner world of the criminal personality is formed and exists in the process of the formation and realisation of its diverse relations and interactions in society and groups. Hence another problem, that of interpersonal relations. These are the direct connections and relations of the individual, the criminal individual included, which develop in his real life with other people. In the formation and regulation of interpersonal relations sociology, psychology and law all play a part. All this shows that the study of the criminal apart from the social relations that have formed him as a personality is inconceivable. This is what conditions the principle, of great methodological importance for criminology, of the examination of the criminal personality through a study of social relations. It is through social relations that the social essence of the individual is expressed.

Social contradictions and the criminal personality

The relations of society and the individual as a whole are always characterised by a unity of interests which determine one another. But there also exist contradictions between the interests of society and those of the individual. Under socialism they gradually diminish, which also creates the necessary conditions for eliminating them. The objective interconnections between the individual and society serve, first and foremost, to overcome them, i.e., to establish the social in the individual. They create the basis for morality, law, and psychology (particularly social psychology) to promote the bringing of individual behaviour into conformity with the requirements of society, of a certain social community (with the interests and aims of the community, its goals and stereotypes, traditions and habits). But by taking the objective existence of social contradictions into account each individual in some way or other reflects these contradictions. Hence the need to form communist social relations, to educate the man of the new society, which in turn presupposes the creation of conditions in which the universally human and social that characterises man as an individual reaches a

level that is inaccessible to the various forms of deviant behaviour. For all behaviour, anti-social (criminal) included, is actually the working out of social norms by the individual on the basis of awareness of his position in relation to society. This position essentially reflects the individual's attitude to society. The process of working out an attitude to society is exactly the same (as a process) in the commission by the individual of legal and illegal actions. The only difference is that in the one case the person takes a decision on the basis of his consciousness that is in keeping with the requirements of society and, in the other, one that is opposed to these requirements. The aim of education, prevention included, is to take this process into account, to guide a person to choose a correct position in life.

A person who leads an anti-social, criminal way of life, unlike a person for whom legal behaviour is characteristic, is always in conflict with the socio-class tendency of society. This suggests that the criminal personality is in conflict with society and represents a certain threat to it. This state of the personality in question should be regarded in the system of social contradictions, in close connection with their different forms of manifestation. One of these forms is contradictions of a criminological nature. Their overcoming (solution) is promoted by the social prevention of anti-social (criminal) behaviour. Criminological contradictions manifest themselves in the fact that the individual unjustifiably rejects (or is indifferent to) important social, moral and legal values, or actively acts against the social value attitudes expressed and embodied in criminal legislation. The essence of these contradictions is expressed, on the one hand, in the defective nature of the relations between the individual and society, and, on the other, in the performance by the individual of a specifically anti-social role, the committing of a crime. Consequently, the prevention of crimes is connected with the resolving of the contradictions between the individual and society.

The criminal personality—a special criminological problem

The problem of the peculiarities of the criminal personality has long been one of the most fundamental in criminology and still gives rise to differing opinions. The essence

of the disagreement is basically that some specialists regard the concept "criminal personality" as a formal one, and others as a non-formal one. We assume that there would be no point in discussing the criminal personality here if it did not possess qualities different from those of persons who do not commit crimes. Criminology studies the criminal personality in close connection with anti-social behaviour and therefore bases its theoretical conceptions and practical conclusions on the peculiarities of persons who commit crimes. Therefore within the framework of criminological science different aspects of the study of the criminal personality are increasingly emerging as an inner integrated teaching on the person who represents a social danger. Such a personality is the bearer of specific motives, essential and relatively stable qualities that have been formed logically under the influence of negative elements in the social environment. Although the concept "criminal personality" is to a certain extent conventional, it is a valid one. This conventionality does not exclude the need for an independent, special study of the criminal personality.

The concept "criminal personality" can be used in two senses: firstly, as a generic one, as a concept characterising a certain type of person; and, secondly, as a concept which indicates that we are dealing with a person who has committed a crime. But in order to establish the causes of this crime, to elaborate and put into effect appropriate preventive measures concerning both the correction of the person in question and the prevention of criminal behaviour on the part of other persons, it is necessary to understand the personality itself, its criminal peculiarities. It is here that criminology uses the concept "criminal personality". There is, however, no previously given "criminal personality". This concept, which expresses the social danger of a personality to society, is limited in time. We can speak of a criminal personality from the moment a person commits a crime up to the moment when his correction is recorded. The criminal personality is directly linked with a specific form of behaviour, namely, anti-social behaviour, or, to be more precise, criminal behaviour. Criminological study of the personality is an aspect of the investigation of human behaviour in society. The actual problem of the personality is not a secondary one, however, but one that is central in criminology. It is present in all the most important criminological prob-

lems and is a key to understanding the essence of crime. Criminal behaviour differs qualitatively in its danger to society not only from lawful behaviour, but from all other forms of socially deviant behaviour. It is characteristic of an individual, as a rule, at a separate stage of his life. There is no "criminal personality", and certainly cannot be one that is permanently characteristic of one and the same person. The following assessments are possible in this connection: a person has not yet become a criminal, although his behaviour is of a socially dangerous nature; another was a criminal, but has ceased to be one; and a third has never been one and will never be one. These assessments are of a practical significance. The classification of persons by these criteria is a special problem.

The peculiarities of the criminal personality

A definition of the concept "criminal personality" on the basis of non-specific features is pointless, because for the criminologist the personality is interesting not in itself, but only insofar as its qualities determine the committing of a crime. This concept combines social and juridical features. Therefore at the centre of attention of any attempt to give a more or less complete description of the criminal personality there are always three questions: the person, the deed committed by him and the responsibility laid down by law for this deed. The personality of the criminal can be defined as the personality of an individual who is guilty of committing a socially dangerous deed forbidden by law on pain of criminal responsibility. The main point in this definition is the fact of the committing of a criminal deed, a crime. It is this fact, a formal one to some extent, that characterises the anti-social, or rather criminal tendency of the personality. According to the law the criminal is a person of sound mind who has reached a certain age and has committed a criminally punishable act. This set of features forms the content of the concept "crime subject". However this criminal-law concept is by no means identical to the criminological concept "criminal personality". Criminology proceeds from the fact that a crime is committed by an individual as a result of a complex interaction of many circumstances, among which a most important role is played by the personality of the individual. We must not forget that

there are definite personality qualities which "warn" us of the possible committing of a crime by that person. In certain conditions, under the influence of certain circumstances or a certain concrete situation, these qualities may lead to a crime. It is necessary to detect the harmful qualities that make a person particularly predisposed to the committing of a crime. In itself "predisposition" does not lead automatically and inevitably to the committing of a crime. A person so predisposed may not commit a single crime, if the environment around him has a positive influence on him. The social prevention of anti-social behaviour plays a decisive role here.

A crime always expresses the person's volition, his aspirations, views, needs, habits, etc. It bears the stamp of the individuality of the person who committed it. In studying the personality, criminology examines the various connections and relations of the criminal with other people, assesses their combined influence and thereby characterises the general qualities of the "human personality of the criminal". However, this provides only an oversimplified model of the personality in question. The environment does not automatically form the "individual" qualities of the person. He acquires individual characteristics not only in the process of active "outer" activity. The acquiring of such characteristics presupposes the recognition also of "inner" subjective activity, in the course of which the personality constructs itself. An analysis of the ratio of "outer" and "inner" is an important condition of studying the characteristics of the criminal personality. Here a word must be said, first and foremost, about the content of a person's actual connections with other people, about his individual, personal social experience on the level and in the form in which it appears for the person (criminal) in question. In other words, the social factors that form the personality manifest themselves to the extent that they become an organic part of a person endowed with natural (biological) dispositions. We must not reject the interpretation of the personality as a kind of whole embracing all its peculiarities. A study of the criminal personality must select only those which manifest themselves in anti-social behaviour, particularly, in crimes.[1]The main question is what led the person to commit the crime. This helps us to answer the question of why the person became a criminal, a "criminal personality".

The structure of the criminal personality

We cannot understand the mechanism of anti-social behaviour or the person who has committed a crime without first understanding the structure of the personality. Here it must be noted, first and foremost, that all the qualities of a person (taken as a whole) fall into two main categories: the person as an organism and the person as a personality. At the same time the personality also has two interpenetrating aspects, two substructures: the psychological, which determines its individuality, and the social, which is determined by its social roles and experience of activity in this or that social sphere. The elements of the psychological structure (substructure) of the personality are its psychological qualities and peculiarities, which are usually called "personality features". The psychological substructures of the personality are also its levels: the first level is the biologically determined substructure (natural qualities of the type of nervous system, age, sex, certain prepathological and even pathological qualities of the psyche, temperament); the second level is all the individual qualities of different psychic processes that have become qualities of the personality making it unique (individuality in manifestation of memory, emotions, sensations, thinking, perceptions, feelings and volition); the third level is social experience, which includes the knowledge, skills, abilities and habits acquired by a person (all this is based on elements of the preceding substructures); the fourth level is the trend of the personality evaluated from the standpoint of socio-psychological analysis (the trend taken as a whole falls into the following substructures: appetites, wants, interests, inclinations, ideals, individual world outlook, and the highest form—convinctions). The criminological level can also be singled out conventionally (in studying the personality of the criminal) in its structure. Special attention must be paid to the anti-social tendency of the personality, the personal attitude of the criminal. This is, perhaps, the main thing in the structure of such a personality. The anti-social tendency and the "negative" attitude of the personality are the main problems of criminological research.

Criminologists offer different versions of the structure of the criminal personality, with due account of its peculiarities, of course. In solving this problem three main groups are

usually distinguished: general features, special features, and individualised features of the criminal personality. This approach can provide an answer to the question as to how a criminal's personality is made up on the whole and also help determine which set of qualities characterising the criminal form this personality and what is the structure of this set. Alongside this approach use must be made of another one. linked with the science of management. The posing of this task presupposes the singling out in the structure of the personality of such components as the behavioural motives, attitudes and orientations which control a person's behaviour. These elements of the personality structure do not exist alongside its other components, such as needs, aims, interests, values, etc., but penetrate the whole complex system of elements of a person's consciousness and self-consciousness. In certain conditions needs or interests, like the other elements of the human psyche, may become motives or even attitudes of the individual's actions or orientations. These circumstances must not be overlooked in a study of the structure of the criminal personality. They are fundamental in determining the peculiarities of persons who have committed crimes.

Typology of the criminal personality

In order to make a deeper study of the criminal personality and its structure it is necessary to find out what is typical in such a personality. This does not mean simply studying the sum of the negative personality qualities which are most widespread among criminals. The problem is solved by reducing the individual element in the criminal personality to the social, and vice versa. In so doing we discover the general and particular in the singular, and detect the similar, necessary and essential qualities in a concrete person. Whatever concrete person is studied, whatever type of criminal activity is considered, in all cases, as always in the individual, singular, they show features and qualities of a general nature which are included in the characterisation of the criminal as a social type. Changes in the system of criminal manifestations are connected with changes in the socio-psychological make-up of the personality of the criminal as a type determined by social relations. Outside social

relations we cannot speak of any typology of the criminal personality.

No social type can be anything but a social form of reflection of the social relations expressed in the needs, interests, orientations and trends of the individual. In this sense a type of criminal is an individual (represented as a social phenomenon), whose structure, as already mentioned, contains different socio-psychological formations. On the basis of typology (typisation) we can speak of different trends in the study of the criminal personality, in relation not only to the general type, but also to concrete categories of persons, when particular features are taken into account.

Analysing the criminal personality in accordance with typisation, criminology distinguishes the following trends of research: typology within the framework of the social aspect, at the level of socio-psychological generalisation, and the typology of separate categories of criminals. However the main type-forming feature is the one that determines the interrelations between the individual and society. Moreover the degree of "alienation" of the criminal personality from society and the surrounding environment, the stability of the person's modes of behaviour, etc. are established. First, professional and accidental offenders can also be distinguished. Special features however, usually linked with the different levels of the personality structure, do not usually characterise the criminal as a whole, but only his individual qualities. However, consideration of these features enables us to obtain a more detailed characterisation of the personality of the criminal and to study the elements of its social and socio-psychological content more concretely and profoundly. Such a characterisation is of great practical significance. It is closely connected with the elaboration of concrete measures for the prevention of anti-social behaviour.

In studying the criminal personality from the standpoint of its typisation we must also (bearing in mind the practical aim of typology) study the interdependence between a type of person and the type of crime which he commits. It should be borne in mind that a crime does not have only external features. The personality of the criminal manifests itself in the crime, in its inner symptoms that are concealed from general view. These inner indices often show that the crime in question could have been committed by a certain type of personality. Consequently, a crime committed in a certain

way not only enables us to speak of the criminal's "handwriting", his individual manner, but also points to the type of criminal personality. In other words, the "traces" of the crime may show that the personality belongs to this or that type of criminal. These circumstances should attract the attention not only of criminologists, but also of those who are involved in the detection and investigation of crimes. Here, however, typology is very closely linked with the classification of crimes and criminals. These methods (typisation and classification) taken together produce the best results in crime control. But they must not be confused. They are interconnected, but not identical.

The specific feature of typisation is that its object is not a single personality or strictly differentiated groups of criminals, but the unity of the qualities and features which are determined by objective conditions and form the personality. A classification, on the other hand, is a more stable grouping of persons who have committed crimes, in terms of their attributes (integral qualities). It contains very strict criteria for dividing criminals into groups and subgroups. Classification is based on the similarity of persons who have committed crimes, within the framework of each of their groups, a similarity characterised by the presence of certain common features in these people. Moreover similarity is contrasted with dissimilarity. The typology of criminals does not contain such a strict differentiation. This method not only records features, but also, most importantly, helps to reveal those features of the personality that are most probable for this or that category of criminals. Obviously we are dealing with two levels of study of the personality of the criminal. Typisation is a higher level than classification.

The scientific study of the criminal personality is linked with the use both of typology and of classification. These methods complement each other. The interconnection of their various types is most diverse. It is characterised by the mutual influence, intercomplementing and interdetermining of methods that enable us to study the most characteristic features of the criminal personality at different levels of generalisation. Many criteria of classification promote the study of this personality with respect to age, sex, type of crime committed, number of convictions, number of people taking part in the criminal act, etc. Classification divides criminals into groups. In this sense it is extremely multi-

level. But this is precisely what prevents it from becoming universal. Typology, however, mainly delves into the essence of the very personality of the criminal. It is linked with a study of such human qualities as consciousness and psyche, temperament, emotions, will, skills, abilities, habits, tendency, attitude, etc. On this basis different types of personality are established. But without types grouping is impossible, and without grouping typisation.

The importance of the study of the criminal personality. As long as crime exists, the problem of the criminal personality will retain its urgency, and any solution of it will be as incomplete as the problem of man in general. The constant, continuous study of the criminal personality is essential in order to discover systematically and assess its characteristic features (qualities), interests, aspirations, etc. This is important for the proper organisation of the prevention of criminal behaviour, for ensuring the timely detection, abolition and neutralisation of "mechanisms" capable of leading to such behaviour. Information about the criminal personality provides a kind of informational base for the activity of crime control. The information obtained about the criminal individual and his behaviour enables us to select the methods and means of prevention most suited to the peculiarities of this type of individual. Knowledge of the personality of the criminal is an important and essential prerequisite for the scientifically based successful social prevention of anti-social behaviour.

2. THE DIALECTICAL INTERCONNECTION OF THE CRIMINAL PERSONALITY AND ANTI-SOCIAL BEHAVIOUR

The dialectical unity of the personality and behaviour

Nothing characterises the individual like his own behaviour. The fundamental methodological proposition on which the study of the moulding of the personality is based is the fact that a person's behaviour is the only objective index of the qualities of the personality. Behaviour is not just the manifestation of the features and qualities of the individual. Behaviour is the individual. Defining the concept "personality" is obviously not very meaningful, insofar as the personality is interesting not in itself, but only to the extent that

its qualities determine behaviour. It is also true that the personality, its individual "style of communication" is a behavioural category, and this "style" is expressed in a person's concrete actions (acts) which are determined both objectively and subjectively. Scientific analysis of the problem of personality has always centred on its objective reality—behaviour. Without behaviour personality does not exist. In other words, there is no person without behaviour.

Behaviour, which has, of course, a definite connection with human biology, is mainly the interaction of the individual with the social environment, the reaction of the individual to external influences. Individual and behaviour, behaviour and individual are, essentially, one and the same characteristic. Behaviour is the mirror in which each of us shows what he is like. Consequently, behaviour and individual may be considered only from the standpoint of dialectical unity.

Human behaviour is a complex, many-sided phenomenon. Behaviour is a process that takes place both in time and space. A study of this process reveals not only the dynamics, but also the genesis of behaviour, its origin and development. The genesis of a person's behaviour consists of the following three main phases or stages: the motivation, planning and taking of a decision and the implementing of this decision. A most important feature of human behaviour is its ordered nature: it is a system (set) of purposive actions (events, acts). Therefore most broadly behaviour is defined as human activity connected with influencing the "surroundings", the social and natural environment. However, behaviour includes only those actions of the individual (acts) which have a conscious purpose and bring about certain changes in the behaviour, orientation or aspirations of another person or other persons. Behaviour is regulated by consciousness. The individual behaves in accordance with his needs, aims, intentions, in accordance with his value orientation, and, mainly, his level of knowledge.

Behaviour can, however, be connected not only with an individual personality, but also with a small group (formal and informal), a collective (say, the behaviour of a school class, a family, or a sports team). The behaviour of each member of a collective or group is not only a personal matter, but also part of the behaviour of the group or collective as a whole. The behaviour of a school class, for example, charac-

terises not only the individual pupils, but also the class as a whole. This is the principle that criminology uses to assess group anti-social behaviour also.

Science has elaborated many features characterising behaviour. Social psychology, for example, defines behaviour as the transforming of a person's inner state into actions in relation to socially significant objects, as an externally observed system of human actions (acts), in which a person's inner motives are realised. If this definition is applied to the structural-functional aspect of behaviour, we can say that behaviour is a system in which the following elements can be "detected": an active person; the object of the action or another person who is acted upon; the means or instruments of action; the method of action or device of using the means of action; the result of the action or the reaction of the person (community) acted upon. Externally, however, behaviour expresses itself in practical (physical, real) human actions or is verbal. Verbal behaviour is a system of statements, judgements, opinions, etc. that can be recorded as signs of inner psychic conditions. Real behaviour is a system of practical actions (acts). The whole diversity of external human activity can, in the final analysis, be reduced to these forms. That is, behaviour is word and deed.

Jurists would, of course, like to include the category "omission" in this system of behavioural concepts along with "words and deeds". But omission is not a behavioural category. Externally it does not express itself in any way. Yet this concept exists in law. Criminal codes, for example, speak of criminal omission. Omission is "behaviour" when a person does not perform the socially necessary, obligatory actions that derive from his professional obligations: a doctor does not treat a sick person, a teacher does not teach the pupils, a watchman sleeps on the job, a ploughman does not plough, a shop assistant does not sell goods, a pointsman on the railway does not change the points, etc. The most socially dangerous forms of omission are listed in criminal legislation and a penalty is prescribed for them (just as for "word and deed"). Thus, omission is an act (a special type of crime), and not behaviour. Behaviour is not a set of isolated (discrete) acts, but a single connected process. The selection of individual acts is a convenient (and sometimes essential) device for the use and assessment of behaviour, for example, in order to designate a certain behavioural act as a crime in law.

Behaviour and activity. Action and the act

These concepts are not separate, absolutely independent components, but essentially a single formation. Nevertheless it is customary to differentiate between them. The closest are, on the one hand, behaviour and activity, and, on the other, the act and action. The concept "activity" is broader than that of behaviour. An act is more connected with behav-

iour, and an action with activity. True, both an act and action may be included in the system of activity and behaviour. However, it is necessary to analyse these nuances.

Activity and behaviour. By activity we should understand not only individual, but also mass human behaviour. It is the purposive action of the subject on the object. Activity does not exist outside the relations of the subject and object. Behaviour, as has already been mentioned, is an externally observed system of human actions (acts), but activity may be inaccessible to external observation. We can also speak of the qualitative change from one condition to the other: the transition from the concept "behaviour" to the concept "activity" means the transition from individual acts (actions) to mass, collective, group ones. Here the psychological aspect "grows over" into the sociological, socio-psychological one. Activity in itself is regarded in this case as a system possessing a structure, its own inner transitions and changes, its own development. Whereas activity is a most general category characterising the active essence of man, the category of behaviour relates only to the sphere of human activity which finds expression in directly observable and recordable socio-communicative actions. There are exceptions, of course. Activity may also take place at the individual level (the activity of the scholar, writer, poet, jointer or turner), and behaviour may be externally unobservable, concealed (anti-social behaviour, for example, often assumes a concealed form).

The word "activity", used in the broadest sense, means the many-sided process of the creation by the social subject of the conditions for its existence and development, the process of the transformation of social reality in accordance with social needs, aims and tasks. Activity has various forms. It is extremely diverse and is determined, in the final analysis, by the whole system of social relations: production activity, socio-political, cultural, educational, etc. At the same time every socially necessary type of activity has its own specific nature and its own laws. We speak, for example, about activity in crime control (the relevant sphere of social relations). The whole diversity of types of activity may be reduced (depending on the concrete aims) to the following: transforming activity (basically this consists of the so-called motor actions performed with the aim of "keeping" or "moving" some external object in time and space); cognising activity (these are mainly gnostic actions performed with the aim of obtaining knowledge about the facts of reality and retaining it in the consciousness); and communicative activity (communication between people). We can also speak of value-orientational activity. By

taking part in activity, a person cooperates with other people. Activity is the sum total of actions of people (a person) united by a common aim and performing a definite function. This is not characteristic of behaviour. It is in activity, not in behaviour, that we can trace the mechanism of people's interconnection between themselves and of each separate individual with the social environment. The level of activity is higher than that of behaviour. On the whole practical activity is, first and foremost, labour activity.

There are similarities as well as differences between behaviour and activity. Therefore these concepts are sometimes identified conventionally (usually for convenience). It is noted, for example, that by behaviour we mean socially significant activity, the activity of the individual. However, in this case, as in many others, by activity we mean anti-social, criminal behaviour. But one frequently encounters direct statements that "criminal activity" exists. This is explicable, to a certain extent. Criminal codes contain the concept of private entrepreneurial activity, for example. But here it is a question not of a form of behaviour, but of the juridical formula of *corpus delicti*: it is a deed.

The action and the act are connected, but not identical concepts. It is usually said that activity consists of actions, and behaviour of acts. However, these concepts are often confused. This is obviously connected with the fact that the terms "action" and "act" have many meanings. For a precise understanding of them we must bear in mind the following: all activity consists of individual actions; some of them are acts, the sum total of which forms behaviour. Actions acquire the meaning of acts, firstly, thanks to the motive which they realise, and, secondly, when they express an attitude to other people. An act is a motivated action. It (or, to be more precise, the system of acts) determines mainly the moral content of behaviour (or activity). All these concepts, therefore, are interdependent, but each of them has its own features.

An action is what we call a completed (or relatively completed) act (element) of activity aimed at performing a limited current task. It is one of the "phases" of activity. A person's connection with the world around him in the process of his activity arises thanks to an action (actions), the sum total of actions being the person's activity. Here again the problem of the interconnection of action and act arises.

Apart from action (internal and external) there can be no

human acts. One and the same action may embody different types of acts. Action as a conscious act of activity becomes an act to the extent that a person is not only expressing a certain attitude to the objects of the external world around him, but is also conscious of and manifests himself as a social person. The chain of acts that form a line of behaviour enables us to judge the nature of the person by his behaviour. In itself an action says nothing about an act, nor about behaviour. Let us assume that a person has broken into a flat (an action): he may put out a fire in it (an act) or commit a robbery (an act in the form of a criminally punishable deed or act of commission). Here we have two entirely different acts, one of which deserves condemnation.

An act of commission is a special concept. It has a clear juridical definition and is not identical either to an action or to an act. Criminal law treats an act of commission as both action and omission. It can be defined as an act of behaviour that is called a crime (a criminally punishable deed). Bearing in mind this evaluation of an act of commission, we speak of criminal behaviour. The concept "criminal misdemeanour" is not the same as the concept "act of commission". A crime and a criminal misdemeanour are concepts of a different order.

3. ANTI-SOCIAL BEHAVIOUR IN THE SYSTEM OF TYPES OF SOCIAL BEHAVIOUR

Social behaviour and social relations

Social behaviour and social relations are directly connected Society is not only people living together. The main thing in society is the interaction of its members, their joint activity, communication, cooperation and mutual assistance. The most essential feature of social life is the duty to behave in a certain way. Without the duty of behaving in a certain way there are no social relations. In other words, socially significant behaviour is behaviour regulated by social norms and guided in the interests of society. There cannot and should not be social norms that contradict the interests of society. Social norms support and strengthen social relations, which is an objective need of the development of society.

The basis of social relations is people's social activity, their behaviour. The actual behaviour of people is the concrete social relations that develop in life. These relations

constitute the whole activity of members of society. Therefore the content of social relations may be defined as socially significant behaviour (including all types of social behaviour). It is behaviour that gives shape to social relations. What the people living in a society are like and what their behaviour is like depends on the social relations. Consequently both society and the people living in it are interested in the desired behaviour. Society expects from its members the sort of behaviour that strengthens social relations. By not observing the necessary behaviour, an individual comes into conflict with social relations. Thus, people's behaviour is social relations. The regulation of the latter is the regulation of behaviour.

In studying the essence of social relations, we should consider them together with human behaviour (and activity). People themselves lay down rules of behaviour. And it is from this that social relations develop. But they also break these rules themselves. This happens mainly because the interests of separate individuals and those of society do not coincide. In fact, this contradiction produces the need for the social regulation of behaviour (with the help of social norms). It is clear that if the interests of individuals and society always coincided, there would be no need for the social regulation of behaviour. It is caused by the presence of contradictions between the interests of society and those of certain of its members. In pointing out this fact, we must add that social relations cannot exist without the social norms that regulate them. And vice versa, there are no social relations without social norms. Social relations are not actually the social norms themselves, but real, actual behaviour; social norms are desirable behaviour, or rather, demands, orders for future behaviour. In the realisation of social relations in keeping with the norms regulating them the interests of society and the interests of the individual coincide. Otherwise the social norms are violated. And consequently the rules of social behaviour are violated too. This is what is called deviant behaviour.

Social norms and behaviour

In real life there is a vast number of variations of human behaviour. It is determined by the number of external and internal factors. The most important means of regulating

human behaviour is norms—social, moral, legal, ethical, etc. Assessed in most general terms, norms are what we call the rules, both those that have developed spontaneously and those that have been established by society, that define the stable forms of people's social activity (social behaviour) aimed at the attainment of goals approved by them. The system of basic social values is at the same time the sum total of basic norms. Having an objective basis, social values are by their nature connected with human consciousness, in which the objective social relations and interests of the whole society are reflected. Therefore social values act as internal regulators of human behaviour. It is thanks to a person's apprehension of social values and also his relationship with other people that norms (model standards) of social behaviour have arisen (arise). They become necessary and compulsory for all members of society.

The compulsory nature of necessary behaviour is consolidated in a social norm, which is a command worked out by a frequently repeated relation and set down in the form of a rule. Social norms are most important means of moulding human behaviour and, consequently, the human personality.

Deviant behaviour

Experience shows that the behaviour of some members of socialist society deviates from social norms. This behaviour means that a person may commit misdemeanours, offences and crimes. In other words, by deviant behaviour we should understand actions that are not in keeping with the norms and types laid down by society, behaviour that violates universally accepted rules and conflicts with these rules, and the norms and standards accepted and approved in the system of the given culture. We can speak of this in generalised form as follows: deviant behaviour is behaviour that contradicts social interests. The only truly deviant behaviour is regressive behaviour that contradicts the progressive development of socialist society. But this society forbids any behaviour that is not in its interests. The opposite of deviant behaviour is normal behaviour. This can be called model behaviour that creates progressive standards for developing forms of behaviour. Normal behaviour is considered as a definite form of behaviour taken on the level of the relationship with social norms. It is studied separately and togeth-

er with other forms of behaviour. It is positive active behaviour. It is from such behaviour that the new (prospective) content of social norms is deduced. However negative (deviant) behaviour, the most socially dangerous behaviour, can also be active. This must not be forgotten in defining types of behaviour, particularly in differentiating measures of preventive action.

The opposite of an active personality is a passive personality. For the prevention of anti-social behaviour it is of practical importance to detect those manifestations of passivity that act as criminogenic factors and become the conditions of offences The study of deviant behaviour and its control must be connected with the study and development of normal behaviour, since the aim of controlling all anti-social manifestations is not only to prevent these manifestations, but also to develop active positive behaviour in those who violate social norms. Without the development of social activity it is impossible to eradicate violations of social norms, and the quicker this activity is developed, the sooner violations will be eliminated. Consequently, it is necessary, first and foremost, to strengthen even more the social organism of society and not to permit the social "sickness" of its members. This will create a solid base for the prevention of the various types of deviant behaviour.

Legal norms and behaviour

Legal norms are an important variety of social norms. Essentially they are social norms. But legal norms are sanctioned by the state and, unlike other social norms, made a law. Law is constantly absorbing and incorporating (in the statutory manner) the most important social norms. This is why the operation of legal norms is supported by the operation of other social norms and is combined with them. In its turn the operation of social norms is supported by the law. This interconnection enhances the practical significance of all social norms. A weakening of one of the aspects (the "social" or "legal") undermines the system of norms as a whole. For the assessment of this system, the effectiveness of both the legal and the other social norms, the state of social order in general, and law and order in particular serve as a kind of "litmus paper". The connection of legal norms with other social norms is manifested in the fact that negative tendencies in the state of crime, the increase in offences, is often predetermined by the weakening and decline of the controlling role of other social norms, the disarrangement

of the normative order as a whole. Practice confirms this conclusion. The latter emphasises the idea of the social usefulness of and need for both legal and other social norms. The norms that regulate the various aspects of the behaviour of members of society should be considered from the standpoint of their unity.

Thus, law is a real reflection of social life. Legal norms are always "sociological". Law is "sociological" because it forms part of the system of social relations. By supervising human activity, regulating human behaviour, law becomes part of the real process of life activity, becoming an element of the existing objective social connections. This is the main point in the characterisation of law as an objective social phenomenon. It must be seen as one of the main connections of legal norms with other social norms. It must be remembered that human behaviour is regulated not only by legal norms, but also by moral rules, the principles of socialist life, traditions and other social regulators.

As we know law does not regulate all behaviour, but only certain types of behaviour. The behaviour that is regulated by law and incorporated in a legal norm is called juridically significant behaviour. It produces this or that legal consequence. Juridically significant behaviour includes two large groups: behaviour that is socially useful and desirable from the point of view of the interests of society (socio-legal activity, the performance of duties, the exercise of rights) and behaviour that is undesirable and socially harmful (the failure to exercise rights, non-performance of duties, crime). But not all socially undesirable and juridically significant behaviour is an offence. Illegal (unlawful) behaviour begins with the non-performance of one's duties. The main aim of socialist law is not only to prevent illegal behaviour, infringement of the law, but also to promote in every possible way the development of socially useful, legal, socially active behaviour of members of society.

The concept and assessment of anti-social behaviour

Marx said that people are not only the actors, but also the authors of their own drama. This statement is fully in keeping with the assessment of behaviour, for behaviour, as already mentioned, is not only a chain of events brought to

life by objective conditions, but also the sum total of a person's acts. Behaviour always manifests itself as a tendency. Of all the existing real possibilities of behaviour a person can choose only one. Therefore, by "choosing" a type of behaviour, an individual leaves on it and, consequently, on himself the imprint of his own actions and acts. In interacting with other people and society, the individual not only contributes something "from himself" to the social, but also refashions the "external" around him into the "personal". For a person social relations are always his relations too. Consequently, in evaluating this or that behaviour and determining its place in the system of the various types of social behaviour, we can, firstly, say which relations occupy the main place for a given personality, and which are subordinate, and secondly, answer the question as to what the personality is like. In this way we can distinguish the anti-social from other types of behaviour. Having made this distinction, however, it is necessary to show the specific nature of anti-social behaviour, to reveal its essence.

But how are we to assess this type of behaviour? It must be said that the problem of "behaviour assessment" occupies an important place in scientific research. The main question in assessing behaviour is that of the socio-class, moral and ideological-political standpoint of the personality. In assessing anti-social behaviour in Soviet life it must be borne in mind, first and foremost, that it is not conditioned by the socialist system and way of life, but is an anomaly, a deviation from socialist principles. Anti-social behaviour covers all sorts of social phenomena (crime, offences, drunkenness, parasitism, etc.), which consist in the violation by members of society of established social norms (deviant behaviour) and which tend to hamper social development (negative deviant behaviour). As a variety of behaviour in general, anti-social behaviour, including crime, is socially determined, like all types of human activity in general. This assessment contains the main feature of the essence of anti-social behaviour under socialism. Only by basing oneself on this conclusion can one analyse correctly the class nature of offences (crimes) and anti-social (criminal) behaviour, and also the class and historical roots of these phenomena, their true and root causes.

The way of life and anti-social behaviour

In assessing anti-social behaviour as a whole, we can say also that it is the opposite of the socialist way of life. This does not mean, however, that such behaviour has a directly anti-socialist tendency. It is not characterised by intentions to fight against socialism or reject its principles. The point is that anti-social behaviour contradicts the principles, requirements, ideals and attitudes of the socialist system of social relations. It is behaviour that is unacceptable to socialist society. It is the most serious deviation from the socialist way of life. In this case the socialist way of life is regarded as a behavioural category. Consequently, its development is the overcoming of both the anti-social way of life and the corresponding behaviour.

For a proper understanding of the problem in question we must first analyse the concept "way of life" and determine, in particular, what is the Soviet, socialist way of life. Points of view on this question do not always coincide. Some think it possible to identify the way of life with the sum total of the conditions of human life, and therefore include in it the mode of production, the economic and socio-political system, etc. Others treat it as a qualitative aspect of people's well-being. There is also the view that the way of life is people's way of thinking, acting and behaving.

In noting these different approaches to the question, we should like to state, first and foremost, that it is wrong to identify a way of life and its conditions. Undoubtedly, these conditions determine the way of life, its framework. But this is only the objective conditions of the way of life, not the way of life itself. As we know, in the Soviet Union with the same basic objective conditions and the same economic relations and prevailing ideology individual people lead a far from identical way of life. It differs from the actual conditions of life in that it is the concrete life activity of a person in all the richness of its forms of manifestation. Consequently, we must not identify such concepts as the socialist (or Soviet) way of life and the way of life of an individual person who lives under developed socialism. Naturally each person has his own way of living, his own habits and inclinations. For the overwhelming majority of Soviet people the socialist way of life is characteristic. However, the way of life of individual people, which we call anti-social, is the opposite of the socialist way of life. Although it is the opposite, it is nevertheless a way of life. For socialism it is the old, dying way of life. Therefore the control of anti-social manifestations and their prevention is one of the forms of struggle for the socialist way of life. In this connection the question of the social prevention of anti-social behaviour is a pressing one. In recent years a broad spectrum of problems treated by the juridical sciences in connec-

tion with the formation of the socialist way of life has emerged. These include not only questions of anti-social behaviour, crime control, strengthening law and order and ensuring legality, but even problems of the activity of the agencies of the Ministry of the Interior, and the correction and re-education of convicted persons. This enables the sciences in question to consider the socialist way of life in close connection with the activity of man as the subject of social relations, as the bearer of certain norms and rules.

Orientation, tendency and attitude in connection with anti-social behaviour

Such behaviour is characterised by the anti-social tendency of the individual. The degree of social danger of the individual may increase or decrease depending on the nature of his behaviour, its tendency. However, here we must see the connection with the attitude which is the main, central link in the structure of the personality. We are dealing with an anti-social attitude. This attitude is usually distinguished in relation to the degree of "criminal infectedness" of the individual. Consequently, the anti-social attitude may be expressed in a different form, have a different, so to say, anti-social content. It may be of a clearly expressed anti-social nature or manifest itself insufficiently clearly. The personal attitude towards anti-social behaviour is a readiness and predisposition to such behaviour which is based on a firmly held anti-social position. The content of such a position are anti-social views, notions, beliefs, ideas, aims opposed to society, and also value orientations that conflict with social norms. The anti-social way of life is the most preferable for such an individual, deviant forms of behaviour are the most acceptable. In general all this characterises the general line of anti-social behaviour.

In studying this problem we must distinguish the anti-social tendency of the criminal individual from the attitude towards anti-social behaviour. An attitude is a narrower concept than a tendency. The attitude towards anti-social behaviour is only one of the forms of manifestation of the anti-social tendency of the individual, this tendency being a blend, a synthesis of the corresponding attitudes. Here we have in mind the so-called system of attitudes in general. However, we must single out situational attitude too. In relation to the problem under review, it is an anti-social form of the individual's reaction to a situation (a readiness to commit a crime in a given concrete situation). An attitude is defined as a specific state expressed in the inclination, oriented-

ness, readiness of the individual to commit an act in a concrete situation for the satisfaction of an existing need. This attitude precedes, as a rule, the orientation of the individual. Orientation, attitude, tendency—all of these together characterise the stable socio-psychological state of the individual. In the case in question this state may be assessed as the "criminal state". It becomes part of the content of the personality of the criminal offender.

Motive, needs and interests

Anti-social behaviour exists, first and foremost, in the form of a special motive. A motive signifies the conscious and deeply personal conditioned nature of the behaviour in question. It reveals the relationship between the inner and the outer, between needs and their objects. It is the subjective determination of an action, act, and behaviour as a whole. Behavioural motives, including those of anti-social behaviour, are closely linked with needs and interests. If motives enable us to understand why in a certain situation a person acts in a certain way, needs and interests reveal the sources of his impulses, the basis of the selection and tendency of his behaviour. Rivers do not flow backwards, and people do not act contrary to their own interests. Interests and needs do not simply exist alongside motives, they permeate a person's whole life. The essence of anti-social behaviour lies in the interests, needs, motives, aims, ideas, and world outlook of the individual, his views and beliefs. The motive force of anti-social behaviour is, in the final analysis, needs and motives. Hence the practical significance of criminological research.

Motivation and anti-social behaviour. Anti-social behaviour is never determined by one motive alone. An interconnected set of motives operates. Moreover anti-social behaviour, as already mentioned, characterises the personality itself. Consequently, the motivation of anti-social behaviour and the personality of the offender are interconnected, interdependent and dialectically interdetermined. The personal features of the offender leave their mark on motivation, and the behavioural motives, reinforced in anti-social actions and acts, deform his personality. However, this does not mean that the personality is reflected in behavioural motivation as in a mirror, and that the motivation is a reverse projection on the personality. We must remember that not all the characteristics of the personality affect motivation. More-

over, the connection between motivation and personality is not direct, as a rule, but indirect. The personality of the offender and the motivation of his anti-social behaviour are, thus, mutually conditioned, but are not an indivisible unity. One can speak only conventionally of this unity.

We should like to draw attention to two more points. Firstly, an individual by no means always acts under the influence of conscious motives, although corresponding stimulatory elements do exist in his acts. Secondly, there are also unmotivated actions and acts. This is particularly clear from the example of certain crimes.

Motivation and the problem of the prevention of anti-social behaviour. The main link in the preventive education of the personality is the turning of its "human content" into positive beliefs, corresponding interests and needs, behavioural motives. But for this it is necessary to "delve down" into the personality, which is possible only through its motivational sphere. Here a number of problems arise. First and foremost, we need to define the role of social prevention in the formation of motives. This process is carried on under the influence of the social environment and organised preventive work. In this case individual prevention and early prevention are important. The prevention of the choice of anti-social (unlawful) means of motive realisation acquires a special significance. This is necessary to ensure that actions and acts committed on the basis of formed motives not only do not cause harm, but are socially useful. Yet another important problem arises—that of not permitting a negative act at the stage of completion of the process of motivation and decision-making. As we know, the motivation process ends with the taking of a decision to commit a negative act or to abstain from it. Therefore it is at this stage that prevention should point to a definite variant of behaviour that is useful both for the individual and for society.

The main task of social prevention in these cases is to turn the external action on the individual into the inner, subjective determinant of his behaviour. Although this process is extremely complex and difficult, it is the way in which social prevention can help a person to form positive motives and regulate his own behaviour, proceeding from social norms and socialist principles that have been accepted and turned into an inner need.

CHAPTER VI

THE CONCEPT AND ESSENCE OF CRIMINOLOGICAL FORECASTING

1. THE SCIENCE OF FORECASTING AND THE BRANCH OF CRIMINOLOGICAL FORECASTING

A fundamental feature of social life is the dynamic nature of social processes. There are no static conditions of social life, only different rates at which the processes of social development and change take place. This is also true of such a phenomenon as crime. It cannot remain invariable, immutable. It is constantly changing in connection with (and alongside) the development of other phenomena. And this change inevitably results in the need not only to elaborate further existing principles of studying crime, but to discover new cognitive approaches in accordance with its changes. Crime is characterised not only by "functioning" but also by "development". Failure to understand or underestimation of this fact may lead to passivity and a slowing down of the processes of crime control. In approaching crime as a constantly changing phenomenon, taking into account all its inherent contradictions, and seeing it just as it is, with all its complexities, it is important to concentrate research efforts on working out how to improve the crime prevention system consistently, how to detect and remove the causes of crime, guide and regulate preventive activity, gradually eliminating criminal manifestations. Precisely in this connection criminological forecasting is essential. It must provide the basis for all activity, both scientific and practical, aimed at controlling crime.

Forecasting. In view of the practical requirements of Soviet society and the need to satisfy them, recent years have

seen the emergence of economic and demographic forecasting, military forecasting, etc., and more and more new types of forecasting are continuing to appear. Even space forecasting has come into being. These relatively independent spheres of forecasting represent the application of the achievements of the fundamental sciences to the solution of vitally important practical problems. At the same time the modern development of scientific research has reached a stage at which the need has arisen for a comprehensive study of the problems of forecasting, i.e., a need for the formation of a science to make a special study of these problems. Forecasting is such a science.

> Forecasting as a science has a complex structure. On the one hand, it includes the applied sphere which is directly connected with concrete sciences. On the other, it rises to broad methodological generalisations, making use of philosophical categories. One of the most important tasks of this science is to serve as a mediating link between philosophy and the concrete prognostications in special sciences. In other words, forecasting is a scientific discipline that studies the general principles of constructing methods of forecasting the development of all kinds of objects and the laws of the process of prognostication. It is a science about the laws and methods of forecasting, a branch of knowledge capable of integrating, as it were, the achievements of other sciences in this sphere. Everything elaborated by forecasting is based on the proposition that conclusions on the possibility or probability of a future event or series of events and processes can be drawn on the basis of the study, analysis and generalisation of previous experience. In so doing forecasting makes use of the knowledge of many scientific disciplines and at the same time promotes their further development. Forecasting creates a set of instruments with the help of which we can determine fairly accurately the short-term and long-term prospects for the development of the phenomena and processes in question, to reach the relevant tactical and strategic decisions. The tasks of this science also include the study of methods of predicting tendencies and laws of development of phenomena and processes, the creation of logical models of the future, and elucidation of the most important problems of purposive guidance of processes. The methodological base of forecasting is formed by the propositions of dialectical and historical materialism.

We can observe two trends in forecasting: the general theory of forecasting (general forecasting) and the theory of forecasting social phenomena and processes (social forecasting). Social forecasting studies the laws, means and methods of social forecasting, which is an organic part of Marxist sociology.

Social forecasting

Social forecasting covers all the phenomena and processes connected with the activity of human society. Determining the prospects for the development of the social aspects of science and technology, the economy, social relations, demographic processes, state and law, home and foreign policy, etc.—all this comes within the sphere of social forecasting.

Types of branch forecasting. If we take forecasting as the science that studies the problem of prognostication in all branches of the life of society, we can distinguish, for example, such types of branch forecasting as scientific and technological, social, economic, demographic, military-political, etc. Each of these types of forecasting is aimed at attaining social aims, performing certain tasks, and is carried on and applied depending on the special characteristics of the science and practice in each separate sphere of the life of society. Branch forecasts correspond to branch types of forecasting.

We take the view that all independent, specific spheres of the life and activity of society are branches of social foreseeing (types of forecasting). As a rule, their specific features are determined by the branch of knowledge and activity to which the problem belongs. For example, we may be dealing with state-law (juridical) forecasting (this is the sphere of the state and law in general), and at the same time within the framework of this forecasting we find such types as criminological forecasting, forecasting in labour law, and forecasting in the sphere of corrective labour law. In other spheres we find many different types of forecasting too. But all of them (that deal with the social sciences) belong to social foreseeing, integral social forecasting being varieties of it. Criminological forecasting, as a variety of social foreseeing, is also a branch of juridical forecasting.

Criminological forecasting

Criminological forecasting is a variety of social foreseeing. However, the juridical part must not be left out of the definition "criminological forecasting", for criminology is, first and foremost, an element in the system of juridical sciences. Consequently, in defining the concept of criminological forecasting it is essential to bear two aspects in mind:

the juridical and the social. Without doubt juridical forecasting (forecasting in jurisprudence) is a type of social foreseeing, one of its components. The place of juridical forecasting in the system of social forecasting is determined by the place of the juridical sciences in the system of the social sciences, or rather, by the role and purpose of such concepts as the state, law, administration, democracy and legality, of which the juridical science makes use. Of course, the problem of the forecast in the science of law, which is general for all the branches of law, extends beyond the theory of law. But this does not turn juridical forecasting into something else. In concretising the trend of legal forecasting, we must distinguish the forecasting of crime. In this case criminological forecasting is represented in the system of "juridical forecasting". But in order to foresee changes in the dynamics of crime dependent on social changes, and, consequently to control offences effectively, we must have a clear idea of the concrete interconnections of cause and effect in the sphere of social behaviour. In other words, criminological forecasting should be directed into a social "channel". It cannot remain outside the social sphere. Criminological forecasting is, thus, a variety of social foreseeing and a branch of juridical forecasting. At the same time it is an independent branch of forecasting.

Branch forecasting requires a profound, all-round knowledge of the corresponding spheres of science, and therefore a key role in this forecasting is played by the specialists concerned. In criminological forecasting the specialists are criminologists. But specialist knowledge alone is not enough. It is also essential to master the scientific apparatus of forecasting.

Forecasting and scientific cognition. All scientific knowledge, generally speaking, is the theoretical reproduction of the object of cognition in logical forms, the unity of the empirical and the theoretical, of the individual and the general. In discussing scientific cognition, we must point out also that it not only reflects the state of reality at present, but also, by basing itself on the tendencies of the law-governed development of this reality, outlines the possible results of purposive action on it. Every science that lays claim to scientific cognition should possess the prognostic instrument of cognition. It is from this standpoint that we must regard the concept of "scientific criminological forecasting".

Lenin wrote: "Miraculous prophecy is a fairy-tale. But scientific prophecy is a fact."[1] This proposition forms the basis of all scientific forecasting, which is conducted within the framework of the Marxist-Leninist theory of social foreseeing. Scientific forecasting always rests, first and foremost, on the foundation of a systematic scientific theoretical analysis of laws and of the conditions of their realisation.

Scientific criminological forecasting proceeds from the present state of the phenomena under review, whose potentialities develop in the future and form these phenomena. Such forecasting (unlike voluntarist forecasting) is based not on what the subject (or subjects) of the forecasting want, but on what objectively derives from the development of the phenomenon (phenomena) in question, its past and present. Criminological forecasting can be recognised as scientific if it is based on knowledge (a study) of the tendencies and laws of crime, the character and nature of this phenomenon, and also the diverse and interconnected processes that influence crime. The laws, the study of which is the basis of foreseeing, scientific laws are the "link" between descriptions of a present and past situation and a description of a future object (a forecast). Therefore a forecast can be true (and scientific) only when the tendencies and laws of the phenomenon are studied "from the past to the present and the future", when the scientific laws used in the foreseeing are true, that is, the theoretical progression of thought from objects of the present and past to objects of the future corresponds to the progression and development of the objects (phenomena, processes, events) in reality. If one knows the tendencies and laws of development of crime "from the past to the present" one can implement scientific criminological forecasting. But it must be remembered that the theoretical basis of foreseeing in any sphere is knowledge of the objective laws of development and the mechanism of their operation in concrete historical conditions. In order not to be pure prophecy, scientific forecasting must satisfy a number of requirements: the presence of authentic foundations (knowledge); lack of prejudice and bias; correct use of the concrete methods

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[1] V. I. Lenin, "Prophetic Words", *Collected Works*, Vol. 27, Progress Publishers, Moscow, 1965, p. 494.

(and methodics) of forecasting; and precise formulation of the aims and tasks of forecasting. These requirements must be observed at all the various levels of forecasting.

The continuous nature of the process of forecasting

Truly scientific forecasting is a constant, creative process of cognising the future. No matter in what sphere it is done, forecasting is first and foremost a scientific theoretical and practical creative activity. Consequently, in whatever sector of social life, whatever sphere this activity is carried on, it must be understood and carried out as a continuous process, as a constant creative process of work and thinking. The experience of the bodies that control crime shows that continuous forecasting enables us to make timely comparisons of the present state of the forecasted system with final (new) demands, thereby ensuring the choice of the best solution in elaborating future measures. The continuous nature of forecasting is also conditioned by the need to improve and specify forecasts, taking into account new requirements and new data. Systematic forecasting makes it possible to check the results of forecasting obtained on the basis of some laws against results obtained on the basis of others. Continuity and consistency in forecasting ensures more accurate and complete results by absorbing more and more new information.

Criminological forecasting is a constant and, by its very nature, continuous process, that requires systematic amplification in the light of new data on crime, its causes and its prevention. In organising forecasting criminologists must, therefore, constantly compile new forecasts and amplify existing ones. The continuous nature of criminological forecasting excludes any attempt to regard the process of scientific foreseeing as complete. The desire for complete forecasts that do not require amplification may lead to unreliable results or even false conclusions.

The bodies controlling crime are always interested in what the phenomenon in question, the tendencies and laws of crime, will be like in the future, because the quality of decisions taken in the present depends on our knowledge of the future. Irrespective of how circumstances in the sphere of the crime control may develop in the future (favourably

or unfavourably), measures to eliminate crime from society should always be taken in advance and should be as effective as possible. However, it must be remembered that any attempt to study future crime faces the problem of uncertainty. If there were no uncertainty, we would always be able to know in advance what should be done, what decisions to take and how to put them into practice. But uncertainty always exists to a greater or lesser extent. Therefore it should not be thought that criminological forecasting is capable of eliminating uncertainty entirely. The main task of this type of forecasting is to find good or even the best decisions given uncertainty, i.e., to minimise uncertainty. In the process of minimising uncertainty the forecasting of crime is one of the instruments with the help of which concrete measures are elaborated for the future and purposive administrative decisions are taken. The questions of whether they will be useful and which decisions will be the best can again be answered by forecasts which also reduce uncertainty as to the outcome of measures planned for the future. True, the obtaining of accurate forecasts of such a type is difficult, and usually they are approximate. But even a bad forecast is better than good uncertainty.

Advance information and forecasts

The planned control of any social system requires the existence of advance (prognostic) information on forthcoming needs, possibilities and effects of controlling actions. This is also true of crime control. Its future is controllable through the present, but this control will be effective only if prognostic information is available, not only about the "future of crime" but also about the future of the phenomena and processes that influence crime. All types of control are possible only if we possess an advance reflection of the needs of a model of the future. And an advance reflection is ensured by prognostic information that enables the controlling system to "anticipate" events. It acquires its highest form in forecasting.

The main reason why criminologists engage in forecasting is that little if anything is known about the future of certain phenomena of interest to them, but knowledge of this future is of importance for controlling (guiding) decisions taken in the present. In other words, what we need is information that

will provide data about the future—advance (prognostic) information. This information enables us not only to "look" into the future and "anticipate" events, but also to analyse types of controlling activity from the point of view of the past, present and future, to reveal more fully the connection between these temporal categories. Prognostic criminological information is not auxiliary, secondary information. Within the framework of general information about crime it stands out significantly and helps to solve the administrative problems in this sphere at all levels. Well-based conclusions are necessary for controlling crime.

The aims and tasks of forecasting

The general aim of criminological forecasting is to establish the most general indices characterising the development (change) of crime in the future, to detect on this basis undesirable tendencies and laws and to find means of changing these tendencies and laws in the necessary direction. The general aim determines the more concrete aims: to take into account all circumstances that are of real significance for the drawing up of long-term plans, to take long-term administrative decisions, to elaborate a general conception of crime control, and to select optimal ways of developing (improving) the activity of the bodies controlling crime; to establish possible changes in the state, level, structure and dynamics of crime in the future, and also the circumstances promoting these changes; to determine the likelihood of the appearance of new types of crime and the "dying out" of present types, and of factors and circumstances capable of influencing this; and to establish the possible emergence of new categories of criminals. All the other aims of criminological forecasts are in keeping with these, derive from them and relate to them as the particular (or individual) to the general. The aims of criminological forecasting must constantly be made more precise and concrete. They must be revised in connection with the continuous nature of the actual process of forecasting.

Criminological forecasting is not an aim in itself. It enables us to foresee the future of the phenomena and processes in question. A criminological forecast can play its part only when it is turned into a guide to action, into a programme for crime control. The strength of forecasts lies in

the fact that they enable us to organise in the best possible way work directed towards the achievement of scientifically based aims. The forecasting of crime is necessary in order to elaborate measures for the planned, purposive elimination of crime and to ensure maximum efficiency of the bodies which control this socially dangerous phenomenon.

The tasks of forecasting depend on the aims and also on the object of research and the period of forecasting. The most general (main) tasks of criminological forecasting are: to obtain information about the future being studied; to process this information; to generalise all the indices of "future crime" (the actual forecast being the end result of the forecasting process). For the orientation of the process of crime control forecasts should: firstly, provide information as to what concrete aims in this sphere are attainable; secondly, help us to understand which of these aims correspond most to the interests of the present and future; thirdly, provide a basis for decision-making if there are alternative aims; fourthly, help to find a correct relationship between short-term and long-term aims of crime control and "co-ordinate" them with each other; fifthly, provide information as to which means and measures are most suitable for attaining programme aims; and sixthly, reveal, as far as possible, all the important effects of these measures. As we can see, forecasting is directed not only towards elucidating the future development of the phenomenon (system) in question, but also towards drawing up recommendations for the better achievement of the desired version of the future.

One of the most important tasks of criminological forecasting is to accumulate pre-plan material. Forecasting, being the research base of the plan, is called upon to provide it with a scientific foundation. The main task of criminological forecasting, however, is to determine on the basis of discovered tendencies and laws of future changes in crime the most important and effective ways of controlling this socially dangerous phenomenon within the forecast period.

The practical significance of forecasting

The practical value of forecasting lies in the fact that it enables us to prepare a scientific basis for future decision-making and the elaboration of corresponding concrete mea-

sures to ensure the rational activity of the state bodies and public organisations concerned. Criminological forecasting, however, is acquiring increasing practical significance, first and foremost, for the preparation of information about the future which is used in long-term planning, and also in the elaboration and taking of administrative decisions in crime control. It enables us to evaluate the "present-day situation" and urgent problems from the viewpoint of the future, to consider a decision taken "today" from the standpoint of its consequences in the more or less remote future. With the help of criminological forecasting the subjects of crime control advance beyond the limits of present-day, and therefore old, knowledge. In this way criminological forecasting orients us to choose realistic tendencies in the activity of the crime-controlling bodies, i.e.,it enables them to concentrate their efforts on questions for the solution of which there are real possibilities. Finally, criminological forecasting determines the direction of the possible development of these bodies themselves, making it possible to constantly improve their activity and to reorganise their work on the basis of the latest achievements in science. This is a general assessment of the significance of criminological forecasting.

A criminological forecast is, first and foremost, information about practical requirements on the basis of which the possibilities of controlling future crime are determined and assessed, taking account of all the available forces and means. On this level the criminological forecast is a method that enables us to coordinate the present and future tasks of crime control, to "link" them with each other in the most expedient way. Essentially, the practical significance of criminological forecasting is determined by the need to solve future problems of crime effectively. Forecasts enable us to prepare in good time our response to new problems and to avoid the situation in which the subjects of control are confronted with a *fait accompli* and are forced to deal only with the consequences of a particular situation, while being unable to influence its development. Thus, forecasting is a most important attribute of optimal and effective control. Thanks to forecasts we can obtain knowledge about the future condition of the object of control, and this means that the controlling bodies will have the opportunity of consciously directing their efforts, making use in each concrete case of methods dictated by prognostic infor-

mation. Criminological forecasting is able to decide the order of taking actions to attain the aims of crime control.

Criminological forecasting helps to gain time in directing the process of crime control, and the problem of gaining time by an advance understanding of a future situation arises, first and foremost, in the posing and solving of fundamental and long-term problems. Consequently, the practical significance of this type of forecasting is that it provides an opportunity of making correct use of "the future".

Criminological forecasting has a dual significance: on the one hand, it serves the practical requirements of bodies controlling crime and helps to improve their activity and on the other, it helps to raise the scientific level and improve the quality of theoretical research in the sphere of crime control, which has a positive effect on the development (improvement) of the whole system of controlling criminal manifestations. However, how long the present system of crime control will be retained in the future and whether the emergence of a fundamentally new system is likely and necessary, must also be taken into account.

It is necessary, firstly, to give a prognostic assessment of the existing system of aims, means and methods of controlling crime, i.e., to determine which existing aims, means and methods will be preferred in the future because of their effectiveness and expediency. Secondly, it is necessary to determine whether the changes in the aims, means and methods of crime control will be so significant that the existing system of controlling crime will become ineffective. Thirdly, we must find out whether new aims, means and methods of crime control that are relevant in the forecast period will appear, and assess the possibility of their inclusion in the crime-control system. Fourthly, we must assess whether the new aims, means and methods (taken individually and as a whole) will be effective, and whether the effectiveness of the whole system of crime control will increase after the inclusion of the new aims, means and methods in it. Fifthly, we must establish whether the changed or new system and individual aims, means and methods will correspond to the general trend of crime control and what is the likelihood of their practical realisation in directing the processes of crime control.

Thus, criminological forecasting provides information about the choice of expedient means and methods of crime control and thereby helps to improve the activity of the relevant bodies.

2. TYPES, TERMS AND METHODS OF CRIMINOLOGICAL FORECASTING

Types of forecasting and groups of forecasts

Speaking of criminological forecasting in the broad sense, we must name two types: forecasting the development of criminology, and forecasting crime. The first type includes forecasting criminological research and determining the development prospects and the concrete trends of criminology, the second only the forecasting of crime. The groups of forecasts also correspond to this: forecasts of the development of criminology and crime forecasts. The forecasting of crime, in turn, falls into two sub-types: forecasting of primary crime, and forecasting of recidivist crime. Each of them includes several forecasting trends: the forecasting of adult crime and juvenile delinquency, male and female crime, and the forecasting of the different types and groups of crimes. Groups of forecasts correspond to these and similar types of forecasting.

A completely independent type is the forecasting of individual anti-social behaviour (individual forecasting), which includes such types as forecasting the individual behaviour of persons who have already committed crimes and the forecasting of individual behaviour of persons who have not been convicted but are predisposed to criminal behaviour.

The afore-mentioned classification of types of criminological forecasting (and groups of forecasts) is not exhaustive. The development of the theory of forecasting is constantly adding to it.

The overall forecast. All forecasts of crime, irrespective of what group they belong to, must "form" an overall criminological forecast. An overall criminological forecast is something more than just the interweaving (addition) and connection of individual crime forecasts. It expresses the quality of the sum total of forecasts. Bearing in mind this aspect we must admit that the overall forecast can assume a most general nature. At the same time the uniting of the informa-

tion contained in individual forecasts forms a higher level of forecast. Such forecasts are necessary, first and foremost, to produce a prognostic model of the phenomenon in question, to elaborate the general strategic aim of crime control.

Terms of forecasting

All forecasting is done with the aim of producing a forecast for this or that concrete period or, to use a different term, time horizon. However in all cases the terms denote the time between the producing of the forecast and the appearance of the forecast phenomenon (event). In all cases forecasting means determining the qualities or state of a process, a phenomenon, at a future moment in time. Therefore we can forecast only that which changes in time or in space. Forecasts in the social sphere may be made for any period of the future; they are usually measured in years (short-term), decades (middle-term and long-term) and even centuries (extra-long-term). Usually forecasts for different terms are coordinated with one another.

> When it is a question of the possibilities of forecasting to influence certain processes in the necessary direction, account is taken of the fact that the future is inevitably divided into the near, remote and indefinitely remote future. As the near future changes into the present, the present day, the remote future takes the place of the near future, and the indefinitely remote future of the remote. The near future, in which the essential components of the remote ideal are already acquiring the features of a tangible practical goal, yields fully to active influence and therefore the approach to it is constructive. The remote future, however, and particularly the indefinitely remote future are usually the subject of theoretical forecasting only. However, theoretical forecasting of the course of events must be accompanied by the elaboration of a concrete programme of action. It must always be borne in mind that the producing of forecasts that are useful for a practical policy in this or that sphere requires the assessment of so-called existing realities not only in terms of the final prospects for the development of the "object", but also from the angle of the stages of this development, including the intermediate stages, the alignment of social forces characteristic of these stages, and the concrete problems and the possible alternative solution to them. Hence the need for forecasting for different terms, or stages. This applies to all types of social forecasting.

Short-term criminological forecasting (up to five years) is of great importance for determining the tactics of crime control. Short-term forecasting determines ways in which crime

is likely to change in the near future. On its basis short-term plans are drawn up and corresponding administrative decisions taken. The aim of short-term forecasting is to predict scientifically not only (and not so much) the tendencies and laws of the changes of crime, but also concrete variants of its immediate future according to detailed indices. Whereas long-term forecasting, as a rule, embraces only the main, most essential elements and general tendencies of crime over many years ahead, and medium-term forecasting is intended to elucidate real immediate changes (prospects) in fuller form, short-term forecasting actually "verges" on prognostic research concerning "tomorrow". Forecasting for a period of up to five years is subdivided into shorter periods—one year, two years, etc.

Practical needs are demanding more and more urgently the production of extra-short-term criminological forecasts—over twenty-four hours (the so-called operative forecast, used, for example, in urban and district units of the agencies of the Ministry of the Interior), over a week (e.g. in connection with forthcoming public holidays or sporting events in a town or district), over a month, quarter, etc., up to one year.

Medium-term forecasting (six to ten years) enables us, on the one hand, to correct the indices of long-term forecasts and, on the other, to adjust short-term forecasting. Criminological forecasts for medium terms are close in importance to long-term forecasts in the sense that they too determine the strategy of crime control.

Long-term forecasting (ten to fifteen years) has recently begun to acquire increasing importance. Unlike short-term and to some extent medium-term forecasting, long-term criminological forecasting is based on an analysis of the most general social laws of the development of society as a whole, the laws of the connection of the level and structure of crime with the level of the socio-economic and cultural development of society. Therefore long-term forecasts are less accurate than medium-term, and especially short-term, but provide a basis for choosing the most promising trends of activity for the bodies engaged in crime control. It must be borne in mind that in such forecasts attention centres mainly on the comprehensive approach to the solution of this or that problem of crime control.

Long-term forecasting is a most complex problem in the methodological respect. This complexity is determined objec-

tively by the difficulties of taking into account qualitative changes in the object of forecasting owing to the inner logic of its development, and to some extent the spasmodic processes both of the object itself and of the factors that influence it, etc. But these difficulties can be overcome if one is equipped with reliable methods of forecasting.

> At the present stage of development of Soviet society forecasts with a time horizon of only five to ten years are already inadequate. The tasks facing the Soviet Union are indissolubly linked with determining how crime will change in fifteen or twenty years with the development of the social structure, economy, demographic processes, etc. Here it is most important to take into account that the development of crime can only be explained on the basis of a study of the development mechanism of the whole system of social relations. Criminological forecasts over a long period ahead should provide the strategic basis for drawing up five-year plans for crime control. Therefore these crime forecasts are not only necessary, but should be of an active nature. For they are indissolubly linked with the content and role of future planning and direction of the processes of crime control. However, long-term and extra-long-term forecasting is not confined to the sphere of crime, for the "development" of the latter as a subsystem of society as a whole can be rationally explained only on the basis of an analysis of the development mechanism of the entire system of social relations.

Long-term crime forecasts are necessary to enable the crime-control bodies not only to solve this or that question of today or tomorrow, but to look ahead, devise not only tactical but also strategic methods of eradicating and eliminating crime. The further elaboration of a line of strategy is an integral part of the work of criminologists and crime-control bodies.

The concept of the strategy and tactics of crime control is indissolubly linked with the theory and practice of criminology. By strategy we usually mean a plan of action aimed at the most effective attainment of a general goal by correct selection of the main trends and concentration of decisive forces and means on them. Tactics are the devices and methods of action used to achieve the set aims. For tactics it is important to determine the main characteristic of each given period, to see the link that must be "grasped" in order to pull out the whole strategic chain, to formulate accurately the central task of a concrete period and concentrate all forces on carrying it out. For practical purposes the strategy of crime control should be set down in documents. The main

documents used in elaborating the strategy of crime control are: long-term and extra-long-term forecasts; long-term prognostic assessments of other social phenomena; and programmes and decisions relating to the future.

Methods of forecasting

In criminological forecasting use is made of all general and individual scientific methods of research. The universal method of cognition is the main one. Special forecasting methods, which are also used widely in making criminological forecasts, may be divided into three main groups: extrapolation, modelling and expert estimates.

Extrapolation. Essentially extrapolation methods form the basis of all forecasting. In the broadest sense the essence of extrapolation lies in a study of the history of the object being forecast and the transfer of its laws of development in the past and present into the future. In other words, extrapolation methods are intended for the search for indices of the future, proceeding from the assumption that the tendencies of the past and present will continue to operate. Since it was "so" before and is "so" today, it will be "so" in the future as well—that is the main (formal, it is true) postulate of extrapolation. In cases where the researcher does not proceed from the strict causal connection of the past and present with the future, when he orientates himself (with "prognostic grounds" for so doing) on marked changes in the tendencies of past and present in the future, extrapolation cannot serve him as a forecasting method.

Extrapolation methods are, mainly, quantitative methods. Extrapolation is sometimes defined as the mental extension (continuation into the future) of certain tendencies and laws of this or that phenomenon or process. In statistical terms extrapolation is determining the unknown levels (indices) of a dynamic series that lie beyond its limits, i.e., either future levels, or levels preceding the initial one. In mathematical terms extrapolation means extending the given form of a function from the domain of its definition to points lying outside this domain. In criminological forecasting, however, extrapolation is usually done by equalising statistical (dynamic) series. Researchers proceed from the assumption that the set of factors determining the tendency of a dynamic series in the past and present will on average retain its force and direction of action throughout the forecast period. This approach is successful if the tendencies and laws of development of crime are stable.

The fact is that crime is not influenced spasmodically. Not only the development of crime, but also the processes of influencing this phenomenon are very inert. Of course, extrapolation methods do not take the modifying influence on crime of various factors into account. But here the following must be borne in mind. Firstly, the action of each factor does not manifest itself immediately (the "delayed" action of a factor does not influence extrapolation, because the latter is used, as a rule, to compile short-term criminological forecasts). Secondly, the continuous nature of the forecasting process makes it possible to adjust earlier forecasts.

Extrapolation methods are an effective means of organising the "mass production" of short-term criminological forecasts. Although a forecast based on extrapolation is an individual case, a "passive" form of forecasting, it is useful for practical work. The simple extrapolation, which is often used by the crime-control bodies, does not imply taking the causes (and factors) of crime into account. However for short-term forecasting the assumption that these causes and factors will remain unchanged (or nearly unchanged) throughout the forecast period is usually sufficient. All extrapolation presupposes the existence of a certain order in the changes that are gradually increasing in a certain direction. These changes take place relatively slowly in the tendencies and laws of crime. Therefore in compiling criminological forecasts for a short period one can assume that errors of extrapolation will be insignificant. With an increase in the forecast period, however, the number of extrapolation errors increases and the accuracy of forecasts drops. But even in short-term forecasting it must be remembered that the use in criminological forecasting of extrapolation divorced from other methods cannot produce a positive result.

Modelling. The method of mathematical modelling has been developed and applied to some extent in Soviet criminology, making it possible to introduce the methods of quantitative analysis and calculation into criminological research. Criminological models that have been correctly constructed and tested on objective empirical material make it possible to characterise unambiguously the influence of various social and demographic factors on the dynamics and state of crime. Modelling is becoming an everyday instrument in criminology, enabling one to work out scientific principles (including forecasts) for direction of the processes of crime control.

In modelling, the subjects of forecasting proceed from the general laws of development of the phenomenon in question and aim at detecting the most important problems of future development and the main ways and sequence of solving them. In modelling we find causal dependencies, the interconnections of the individual and the general, and make use of the general methods and instruments of logic—analysis, synthesis, induction, deduction, inference, etc. Moreover, modelling is used for imitating real processes; it also enables one to reflect quantitatively the interconnection of a series of factors revealed by qualitative analysis and to use the results of relatively autonomous forecasts. The advantage of modelling is that it enables one to abstract those qualities of the forecast object which are inessential in a particular respect. In other words, modelling makes it possible to single out certain qualities for study in their "pure form", which greatly facilitates the tasks of scientific forecasting, insofar as a complex phenomenon is often inaccessible to direct analysis. However, the advantage of modelling—singling out of certain qualities in "pure form"—becomes a disadvantage if modelling is regarded as a universal means of forecasting and research in general. This method, like other forecasting methods, must be combined with other research devices.

A model is an organic component of every forecast. Any forecast begins with the mental projection of a phenomenon into the future and ends with the reproduction of the phenomenon in a more or less simplified form as a model, insofar as the phenomenon does not yet exist in reality. In other words, as already noted, essentially any forecast always begins with extrapolation (in the broad sense) and always ends with a prognostic model. In the broad sense the model is a simplified form (scheme, description) of a phenomenon or process. Models are usually constructed proceeding from the needs of this or that branch of knowledge, the modelled phenomena being divided into social, psychological, biological, etc. In this connection, in our view, we can also speak of criminological models, in particular, those of a prognostic nature.

A criminologic-prognostic model should reflect the real process of the "development" of crime. This can be achieved if the following conditions are observed. Firstly, differentiation of the model in accordance with the objects of the

forecasting; for each of the trends (primary and recidivist crime, juvenile delinquency, etc.) there should be a special method of analysis and forecasting and a specific model. The qualities of each model must be singled out and studied carefully and the limits within which the model can successfully be used must be strictly defined. Secondly, alongside the construction of individual models a system of models must be created in a certain hierarchy. However, the construction of the whole must not destroy the specifics of its parts; a certain autonomy of subsystems is assumed in the system of forecasting models. Thirdly, forecasting methods must be differentiated in accordance with the duration of the forecast period.

The construction of criminological models is useful only when it is based on a careful study of facts and reliable theoretical hypotheses.

Expert estimates. The essence of the methods of expert estimates in relation to forecasting is that the forecast is based on the specialists' opinion, founded on their professional theoretical and practical experience. These methods are usually used when a problem has not been sufficiently studied for all its constituent elements to be clearly seen or when it is impossible to apply more rigorous methods. Essentially expert estimates applied in forecasting are informal forecasts, but experience has shown that these forecasts are also of high cognitive and practical value. The value of expert estimates for forecasting is that in assessing an event a highly qualified expert makes use not only of "official information", but also of the information contained in his experience and intuition. In making an assessment concerning an important scientific (or practical) problem of the future, a scientist must combine profound theoretical knowledge with intuition and a flexible imagination, for in forecasting a great role is also played alongside logical categories by purely psychological factors, such as intuition and creative fantasy. In forecasting on the basis of expert estimates it is essential to possess a rich imagination.

When it becomes necessary to produce a forecast with the help of expert estimates, appropriate questions are always put to a group of highly qualified experts, who give a decision on the basis of a direct synthetic judgment, without any calculations, and sometimes even without arguments in support of their decision. The advantage of this approach compared with extrapolation

and modelling lies in the fact that the latter inevitably do not take into account certain important factors that cannot be expressed quantitatively. As a rule, calculations do not take into account psychological factors, yet the analysis of the latter in forecasting is extremely important. We cannot do without intuition, fantasy and imagination here.

Frequently in selecting experts the subjects of criminological forecasting seek to include as many scientists and executives as possible. However, it is not always borne in mind that even a distinguished scientist or executive is unable to reach a competent decision on many very topical problems. It is a matter not of the number of experts, but of their qualifications in a certain sphere. An expert is a scientist or a practical worker, a highly qualified specialist in a concrete sphere, who is invited to solve problems that require professional knowledge or practical experience. From the angle of forecasting an expert is a specialist in a given sphere who produces assessments and hypotheses of alternative and possible ways of solving existing or emerging contradictions and is guided by them in his activity. He must be competent, above all else. Only then can we receive the necessary "expert" information.

It is essential not only to select experts correctly, but also to organise the work with them properly. Here it should be remembered that there are two main forms of consulting experts: individual and group. Both these forms can be subdivided into written and verbal, consultation on general and individual questions, etc. The form of consultation is selected in accordance with the tasks of forecasting.

Individual consultation of experts implies the use of questionnaires, interviews, talks, verbal consultation, etc., with the aim of obtaining the independent opinion of each specialist. It totally excludes the collective work of experts, making it possible to reduce the influence on individual experts of such psychological factors as persuasive argumentation by others present, reluctance to renounce previous publicly expressed views, acceptance of the majority opinion, etc. This type of consultation is free of public discussions, which are characterised by the influence of recognised authorities who have previously published or expressed their opinion verbally and of the usual attempts by some members of the discussion to join the majority. Such consultation makes it possible to obtain a series of individual

opinions on a concrete question and to prepare "mean information" on the basis of independent judgements.

Group consultation of experts, or the method of collective generation of ideas, presupposes the direct exchange of opinions between specialists taking account of the possibility of each individual expert using the opinions of the others. Each expert must defend his own estimates, but he must also be ready to change them if another member of the group possesses more accurate and convincing data. However, consultation must be strictly delimited by the following rules: criticism of statements is not permitted, assessment of proposals is done later, original ideas are encouraged, and a large number of ideas are put forward.

Here the dominating influence of the so-called individual leader on the other experts must be overcome. Each of other experts must possess and express his own opinion and adopt an independent position in each concrete case.

In criminological forecasting the expert estimate method can be recommended for accomplishing the following task determining a series of alternative versions of the process being forecast; amending and adjusting forecasts; selection of the most probable forecast variant, selection of a set of methods for making concrete forecasts. As the practice of criminological forecasting has shown, in work with experts it is important to decide on the size of the group (committee) of experts, to accept a means of assessing the competence of experts, and to lay down a definite procedure of work with them.

The main direction for improving methods of expert, estimates is the objectivisation of the opinion of experts, the reduction of all estimates to a single (mean) index. The sum of expert estimates of a group of specialists is not a mechanical sum of opinions, but a well-balanced integral system of views. Of course, experts' estimates are based on a subjective opinion. For all the community of views on this or that problem, each expert focuses attention on the point which he regards as the most essential and necessary. As a result there arises a divergence of opinions which is characteristic of the individual experience of each expert. The point is, therefore, not to regard one point of view as absolutely true, and the other as absolutely false, but to establish an objective measure for assessing all the points of view expressed.

It must also be taken into account that in solving such new and complex problems as crime forecasting the expert may be a "slave" of his old views. This inevitably leads to false estimates. The working out of a new problem, the creation of a new conception presupposes a critical revision of old views and possibly their renunciation and replacement by other views. This alone can lead to discarding the usual means of action. Each expert acts not only as a continuer of traditions, but also as an abolisher of them. Otherwise he cannot be an expert.

3. ORGANISATIONAL PROBLEMS AND THE CONTENT OF CRIMINOLOGICAL FORECASTING

Procedure, subjects and objects of forecasting

Present-day criminological research requires a knowledge of the technology of producing forecasts. This technology includes methodological principles, without the use of which it is impossible to make forecasts. Today criminological forecasts are based on methods approved in practice. Crime forecasting is done by research institutes, crime-control establishments, and special teams of scientists and practical workers. We can say that a system of criminological forecasting has been created and a certain amount of experience acquired in this sphere.

Basing ourselves on this experience, we can detect certain organisational stages in criminological forecasting.

Stage one. The following are determined: the aims of forecasting and its time horizon (term); the theoretical conception of the whole prognostic research and its main hypotheses; the object and subjects of forecasting; the content and forms of the forecast; and the methodological apparatus of prognostic research.

Stage two. Deals entirely with the collecting of information necessary for attaining the aims and solving the tasks of the prognostic research in question.

Stage three. The information is processed and individual forecasts produced. This is the stage of direct compiling of the forecast in all its variations.

Stage four. This is the stage of specifying forecasts, adjusting forecast conclusions. Should the need arise, forecasts are revised and even compiled afresh.

Stage five. A synthesis is made of all the prognostic conclusions and a summary forecast is made.

This procedure, given here in most general form, is followed by the subjects of criminological forecasting.

The subjects of criminological forecasting are as follows: crime-control bodies, research establishments engaged in the study of crime, special laboratories at higher educational establishments, research centres, etc. The subjects of forecasting are responsible for the forecasts that they draw up and present. Crime forecasts are always presented on behalf of a concrete body (establishment), the forecasting subject. Irrespective of the level on which the criminological forecasting is done, its object is always crime, types of crime, or the behaviour of individual persons (in individual forecasting).

The content and form of a forecast

A criminological forecast is data (prognostic information) about future crime, its tendencies and laws, condition, level, structure, etc., a description of the phenomenon in question (crime) expressed, formulated, with the help of terms that exclude the possibility of different interpretations.

The content of a forecast may be complete, insufficiently complete or incomplete, depending on the volume of information used, the methods applied, and the conditions in which the forecasting process began and proceeded or which influenced this process.

The form of a forecast is not unchanging. A forecast is systematically corrected and adjusted, and its form changes accordingly. In addition at different levels of administration even one and the same forecast may appear in different forms. Therefore by forms of criminological forecasts we should understand not only finished documents drawn up for a single definite case, but also forms of the concrete reflection of continuous prognostic activity that is constantly using new data. In working out concrete forms of criminological forecasts it is particularly important to take account of practical requirements. Some forms may be useful for the accumulation of prognostic information (for storing it in a "forecast bank"), but unsuitable for use in planning and control, whereas others may be successfully used in everyday practice, but not suitable for storage. The main

requirement to the forecast form is brevity of the documents presented. The forecast report should be supplemented only by the minutes of the forecast discussion, proposals for the use of the prognostic information and recommendations (set out briefly) for measures to ensure attainment of the aims of crime control at a given stage. Other material (with data amplifying the forecast) may be presented periodically should the need arise.

The question of the content and forms of criminological forecasting is an important one. The realisation of forecasts, their proper use in direction of the processes of crime control, depends largely on its correct solution. Therefore the forecast indices and their interpretation should not be prejudiced, in particular by earlier decisions, attempts to vindicate current activity or unwillingness to look ahead. The terminology used in describing a forecast should be clear not only to the person who has produced it but also to those for whom it is intended.

The probabilistic and variational nature of forecasts

Forecasts of crime, as forecasts of all other social phenomena, are by their nature probabilistic. On the basis of a criminological forecast we can only assume, with a greater or lesser degree of probability, that in the future crime will undergo this or that change, insofar as the laws of development of crime are mainly statistical laws that describe ambiguously the determined connections of the processes and phenomena in question. Criminological forecasts can be made precisely on the basis of statistical laws. The degree of probability of the crime forecast will depend largely on the number of elements (factors) used in the forecasting. However the probabilistic nature of criminological forecasts should not be regarded as a defect. Such forecasts enable us on the basis of an analysis of the past and present to consider probabilistic variants of the future development of crime, and this, in turn, makes it possible to increase the effectiveness of planning and control, to narrow the risk, as people sometimes say.

Crime forecasts are also multi-variational, which is explained by the fact that the initial premises of the forecasting are also multi-variational. A forecast based on considera-

tion and "weighing" of past and present tendencies and laws of crime should yield a set of variants of the future, from which the appropriate bodies, guided by the criterion of optimality, choose one that is attainable in practice. The set of variants increases the reliability of the criminological forecast. A multi-variational forecast takes into account the whole spectre of possible changes in future conditions, new circumstances, etc. As such changes are detected we can (with the help of a multi-variational forecast) move from one variant to another, retaining the possibility of optimal direction. In other words, given a multi-variational criminological forecast the subjects of direction of crime control can choose the most suitable (or most rational) variant. There is no administration without variants. Decision-making is the choosing of a variant.

Consequently, unambiguous prediction in the sphere of social life is not always possible, and not always desirable. It is essential that forecasts should determine the development of a phenomenon not in the form of a single succession of events, but in the form of a number of variants which are differentiated and assessed. A kind of "sifting" of variants takes place, and only the best substantiated and most probable ones remain. The value of criminological forecasts lies not in unambiguous prediction, but in a thorough and profound analysis of crime as a phenomenon. One of the features of this phenomenon as a dynamic system is the fact that it reproduces itself in a certain way, constantly renewing itself and developing with the passage of time under the influence of various factors. Therefore criminological forecasts are able to answer only the following (or similar) questions:

what crime will be like in the future if the existing tendencies and laws of its development remain unchanged throughout the period forecast;

what crime will be like in the future if the existing tendencies and laws of its development change in the forecast period in accordance with previously accepted premises;

how great possible fluctuations in the tendencies and laws of crime corresponding to the different variants of the criminological forecast may be in the future; what crime (its tendencies and laws) will be like in the future in relation to the forecast variant accepted as the most probable.

The essence of the "multi-variational" nature of prognostic

information is that it shows the future development of crime given different logically substantiated premises. The argument in favour of choosing not one but several different premises concerning the future development of crime is again the impossibility of producing absolutely accurate criminological forecasts. Moreover it should be borne in mind that the accuracy of a forecast, as already noted, depends on the degree of accuracy of the formulation of the aims and tasks of crime control. Insofar as these aims and tasks (as the aims and tasks of criminological forecasting) are formulated on the basis of profound and comprehensive research we can assume that any permissible error in forecasting will be insignificant.

A forecast should indicate scientifically the features and outlines of phenomena, events, connections, and facts, which are not yet visible today on the surface "to the naked eye", but which must be discovered by delving into layers of experience and knowledge, by synthesising neatly caught, barely perceptible "threads" of heterogeneous, contradictory tendencies. A forecast must assume that the future will be unexpected. It should not be dominated by the canon of accepted ideas. A forecast must always bear within it an adjustment "coefficient" that takes this danger into account. It is essential to see clearly what in a forecast sphere could cause inert stereotyped thinking and artificially retain this stereotype in spite of latent, mature and sometimes obvious tendencies. Consequently it is essential to bear in mind in criminological forecasting that in the development (change) of crime as a phenomenon two contradictory processes are usually to be observed: a tendency to rise and a tendency to fall. Crime is not, of course, created (and does not develop) according to any plan. But in the development of this phenomenon positive tendencies must be reinforced with the help of special administrative decisions, including plans for crime control.

Nor should we forget that criminological forecasts (both combined and individual) cannot remain unchanged throughout the period for which they were made. We must remember, firstly, the need for periodic adjustment of forecasts, and, secondly, the "destruction" of their indices as a result of the activity of the bodies controlling crime, the so-called refutation of forecasts by the active intervention of planning measures. A distinguishing feature of the crime forecast

is that it reveals the future as objectively determined by preceding development. Therefore the criminological forecast shows future crime not as the subject of the forecasting wishes to see it, but as it is actually expected to be. If it is known that the course of events is taking an unfavourable direction, the need to take measures that could change it in the desired favourable direction is obvious. But even if the forecast says that crime will drop appropriate interference is necessary, for it is assumed that the forecasted future will not come about without the action of the bodies engaged in controlling this dangerous phenomenon.

Adjustment of forecasts. As a consequence of inevitable errors in forecasting (so-called "prognostic noise") the accuracy of a forecast decreases, and sometimes with the passage of time loses its practical value. The errors in question are caused by many factors, but the main ones are due to the fact that in real life new things are constantly emerging (unexpected, chance occurrences). These factors make it necessary to adjust the forecast. In this connection we would note two points.

Firstly, the success of all activity based on a forecast depends not only on the substantiation, authenticity and accuracy of the prediction, but also on the ability of the relevant bodies (establishments) to interpret it. At the same time human initiative and creativity introduce new elements into life which greatly influence the forecast.

Secondly, because forecasts assume the possibility of the emergence of the new in the future, not only "chance occurrences", but also something more important may turn out to be beyond the limits of the forecast. Even with the most careful forecasting an important factor which was not of particular significance during the process of forecasting, but which became important subsequently, can remain outside the sphere of the forecast. Therefore it is necessary to adjust forecasts constantly.

The process of criminological forecasting, from the initial prognostic actions to the insertion of the "final" essential adjustment, is a kind of cycle of scientific cognition, and absolute accuracy in any branch of cognition is a practical impossibility. Crime forecasts can never be absolutely accurate, but this does not exclude the possibility of real forecasting and the compilation of well-based forecasts.

In the forecasting of social phenomena and processes we

must not try to describe the future in detail as if we have already seen it. We must try to discern the tendencies, laws, directions and contours of that which is to come. Before the emergence of an event in social life we cannot foresee all its details. We must establish the so-called framework of reality, the "limits of foresight". It is not only right, but also essential to pose the question of these limits, for the forecasting of social phenomena is always restricted by a certain framework. In speaking of the role of criminological forecasting we must bear in mind that our knowledge of crime is relative, incomplete. And the problem of the accuracy of crime forecasts remains a very real one, of course. But how can we characterise the concept of "accuracy"? In criminological forecasting it is a relative one. We can speak of the accuracy of crime forecasts in cases when they coincide with a real event in time (in an interval of time), when they give the most probable description of situations, cover most of the parameters of the object in question and characterise sufficiently fully the future of the phenomenon, process or event.

The connection of the forecast with the plan

Planning is directly connected with the forecasting that serves it. Forecasts do not take the place of the plan, but precede its compilation, being a subsidiary means of planning. Naturally forecasting cannot be reduced entirely to "serving" the plan. It also covers the probable consequences of the plan's implementation or non-implementation. In other words, on the one hand, forecasting is a preliminary stage in the compilation of a future plan. It should show what must be planned and, in particular, substantiate the new elements that will arise in the future. On the other hand, the sphere of forecasting is a large one, and its object is the detection and forecasting of objective processes that embrace the phenomenon as a whole or its separate parts, all the aspects taken together. A forecast may actively affect not only planning, but also all the other functions of control and control as a whole. Therefore we must not see the relationship of forecasting and planning as counterposed, as alternative approaches to future problems of the development of this or that social phenomenon. Forecasting is not an alternative to planning, but its scientific substan-

tiation: a future plan based on a scientific forecast is far more accurate and effective than a plan drawn up without regard for a forecast. This is also true of the criminological sphere of planning, of course.

Criminological forecasting is essential, first and foremost, for scientific planning of crime control. But a forecast is not a final recommendation or a choice for compiling a plan; it is only a multi-variational picture of the future. The inclusion of the data of a criminological forecast in a plan, however, is a matter for the planning bodies. Obviously, here the tasks of criminological forecasting and the planning of crime control "merge", but planning acquires paramount importance. However, this too is thanks to forecasting. A criminological forecast establishes what may happen to crime in the future, what factors may promote a drop (or a rise) in the number of crimes, whereas a plan establishes what should be done in this connection and over what period, what funds, resources, methods and techniques should be used, etc. In order to say what is the difference between a plan and a forecast, in order to provide a correct description of the connections between them, it is important, first and foremost, to understand clearly what is the aim of a plan and what is the aim of a forecast. Generally speaking a forecast determines what may happen and in what conditions, whereas a plan outlines what should happen, to what, and what must be done to ensure that it does happen.

A plan is a set of aims and tasks for a certain period which indicates the means of solving them, whereas a forecast shows how to find these means and define the tasks themselves. The main thing in a forecast is that it reflects the objective laws, the inner and outer connections of the object forecast. The main thing in planning, however, is that the subject of control influences both the environment in which the object of forecasting finds itself, and the process that takes place (from the criminological point of view the processes of crime control). It is in criminological plans that the main goals and tasks of crime control are recorded and acquire the form of directives. A crime forecast enables us to take a look into the future, to see the outlines of "future" crime, whereas a plan of crime control enables us to give a certain part of the forecast directional form. A forecast is not a directive, but a plan is.

CHAPTER VII

THE FORECASTING OF INDIVIDUAL ANTI-SOCIAL BEHAVIOUR

1. THE CONCEPT AND PECULIARITIES OF FORECASTING INDIVIDUAL ANTI-SOCIAL BEHAVIOUR

The concept of individual forecasting

Among the complex problems of the individual and his behaviour a central place is occupied by individual forecasting. It is increasingly attracting the attention of representatives of many social sciences. Scientists of various countries are discussing the possibility of individual forecasting, the connection of this type of scientific forecasting with behaviour planning, personality planning, etc. Attempts are being made to work out "personality development plans", to determine the essence of "personality planning", to explain the peculiarities of the individual's behaviour in different situations, his psychological tendencies, etc. In connection with the study of individual forecasting special attention is being paid to working out a set of educative and other measures to permit the correct moulding of the individual. This is obviously the main goal of individual forecasting.

Sociologists call the organisation of the moulding of the individual "personality planning". The basis of this planning is the forecast which is of essential importance for social planning and personality planning. This suggests that the view of the impossibility of individual forecasting is incorrect. Nor can we agree with the contention that human behaviour guided by consciousness is outside the sphere of competence of science. The point at issue is precisely the scientific foundations of forecasting individual behaviour.

The concept "individual behaviour" is defined in various ways. Some use it to mean the individual's forecasting of his own behaviour, his own actions and their effects. Others have in mind forecasts worked out in relation to this or that individual. In both the former and the latter case the term "personality forecast" is sometimes used. To our mind it would be correct to use the term "personality forecast" when we are dealing with a person's forecasting of his own behaviour (actions, acts, etc.); the term "individual forecasting" is more suitable for the sphere connected with forecasting the behaviour of a concrete individual by special forecasting subjects (and not the individual himself). Criminology, for example, uses it to mean the forecasting of individual antisocial (criminal) behaviour. This should form the basis of individual prevention of such behaviour.

Representatives of different sciences write on the need for individual forecasting. Forecasts of the behaviour of the single individual have long since been studied from the viewpoint of social forecasting too. The problem of individual forecasting is a fundamental one in criminology. The need to foresee the antisocial behaviour of individual persons, to engage in "personality planning" is obvious. The problem consists of controlling not only crime as a phenomenon, but also each individual crime as an individual human act. Of course, on the basis of various factors capable of quantitative measurement one can formulate conclusions on the future development of crime as a phenomenon, whereas in relation to individual acts the possibilities for successful forecasting are far more limited due to the different role of subjective factors which it is hard to foresee. But this limitation does not invalidate the problem of individual forecasting. Such forecasting is especially necessary for the organisation of the individual prevention of anti-social behaviour.

Individual forecasting in criminology

The preventive trend in the work of crime-control bodies obliges these bodies not only to seek to prevent crime as a whole, but also to prevent individual crimes, i.e., to act before a person has embarked on a criminal path. This makes it necessary to foresee the behaviour of individual persons, first and foremost, those who have previously been prosecuted (or are being prosecuted or who are under investigation or serving a sentence), and also those who have not

been convicted, but whose way of life is anti-social. Everyone will agree that the forecasting of possible individual behaviour, particularly anti-social behaviour, is a complex task. However, the difficulties that arise during this may be overcome by a profound study of the personality, the mechanism of human behaviour, by a careful examination of the internal and external factors influencing the individual and his behaviour. It is the individual that is assessed, his past and present behaviour, and his possible behaviour in the future is forecast. An individual forecast, like criminological forecasts in general, is of a probabilistic nature.

Individual forecasting is the process of foreseeing the future behaviour of an individual person, and an individual forecast is scientifically substantiated information containing a quantitative and qualitative characterisation of the future behaviour of the individual. The sources of this information are models of a forecast of the social behaviour of separate individuals. From the criminological point of view individual forecasting is foreseeing (scientific forecasting) the possible (positive or negative—anti-social) behaviour of an individual person over a certain period of time. In individual forecasting we are dealing not with a single prognostic conclusion, but with variants of possible future human behaviour. Each person has not a single future predetermined by someone or something, but a multitude of probable "futures", of which in the final analysis only one is realised. The person arrives at this "single future" as a result of the interaction of different factors. Therefore the task of the subjects of individual criminological forecasting is not only to predict the expected behaviour of the individual in the future, but also to establish the factors (conditions, situations, circumstances) that determine the most possible variant of his future behaviour. Thus, in individual forecasting we must speak of the most likely and possible behaviour of the individual in the future. The probabilistic approach rejects the theory of the dangerous state of the individual for whom (if we are dealing with individual forecasting) there is no difference between "possibility" and "reality": that which is possible is bound to become reality with time. Such a framing of the question is alien to Soviet criminology, for it inevitably leads to arbitrariness and lawlessness.

What is the difference between a forecast that determines the possibility of anti-social behaviour and the "dangerous state" theory? First and foremost, it should be noted that these concepts have nothing at all in common. The establishment of certain negative social qualities in a personality is regarded by exponents of the "dangerous state" theory as proof of the existence of a potential criminal to whom preventive-repressive security measures should be applied. In other words, the following proposition is argued: some people, irrespective of social factors, have criminal tendencies; these people possess an exclusively criminal disposition, they have an absolutely anti-social nature, they are constantly seeking an environment and situations conducive to realising their criminal intentions and therefore it is inevitable that they will commit crimes and it is essential that repressive measures be taken. It is easy to see that the "dangerous state" theory is both unscientific and reactionary. It is fundamentally alien to individual criminological forecasting.

Individual forecasting determines the nature of future behaviour. Future anti-social behaviour (if it has been established by a forecast) is connected to a certain extent with the problem of the social danger presented by the individual. Social danger can be regarded as the possibility of a new crime being committed in the future by a concrete person, but only, let us emphasise once again, as one of the variants of a "possible future". Soviet criminology recognises the objective possibility of the committing of a crime in the future by this or that concrete person. This is not an inevitability, however, but a possibility which may become reality only in certain conditions, and may not become reality at all. It follows from what has been said that the existence of the actual possibility of the committing of a crime by a person does not require repressive measures. What is needed is merely a special attitude to preventive work with the individual.

Control on the basis of individual forecasting

The tendency of this or that individual to commit a crime can be neutralised by gradually changing his socio-psychological qualities in the required direction. The problem is therefore to study these qualities and explain why the individual has a tendency to commit a crime. This tendency should not be explained only by his past life and regarded as "fixed", permanent. It should be represented dynamically. The ability to commit a crime is "socially controllable", insofar as the moral attributes and qualities of the individ-

ual on which it is based can be changed, regulated and orientated in a socially useful direction. The task of controlling individual behaviour consists in establishing the optimal combination between the condition and development of the individual and the interests of the collective and society, in order to regulate their mutual requirements. Developing this idea, we might say that controlling or guiding a person means, first and foremost, determining his place in the social system, his functions, rights and duties, his social role. Guiding a person means creating for him the most favourable conditions for revealing his talents, for manifesting his initiative and creativity. These requirements form the basis of control of the behaviour of persons who are leading an anti-social way of life. Control in this sphere is based on individual forecasting and is directed mainly at the formation of socially useful behaviour. This is the main aim of such control.

The problem of controlling a person's behaviour is connected with the construction of "individual behaviour models". Science is not yet able to construct a full and accurate model of a person that reflects his behaviour. Therefore we can speak only of approximate models. From this point of view it is useful to distinguish two main approaches to the construction of prognostic models of social behaviour: models based on generalisation of "external" indices of individual behaviour; and models based on a study of the internal motives and attitudes that form an individual's external behaviour. In the former case use is made of such methods as human behaviour analysis and registration of factors characteristic of external behaviour, and in the latter of questionnaires, interviews, talks, etc. When necessary use is made in both the former and the latter case of quantitative methods of behaviour analysis. The study of the individual on the basis of these two approaches is the basis of individual forecasting. Having established the connection between the individual's internal characteristics and the peculiarities of his external behaviour we can detect the so-called latent qualities (personal interest, needs, aims, motives, aspirations, etc.). By making use of other data that distinguish people (sex, age, trade or profession, education, work and social activity, etc.) we can construct a model of social behaviour. Such a model enables us to study the motivation of an individual's behav-

iour from the point of view not only of the past and present, but also of the future. There are real possibilities for constructing such a model.

A profound and thorough study must be made of the system of factors of an individual's behaviour with special attention being paid to his needs, his awareness of these needs in the form of interests, aims, desires, aspirations, to motivation of his actions (behaviour) and decision-making, to attitude as inner mobilisation, readiness for action, and action itself. Guided influencing of these behavioural factors is, in fact, the essence of personality control. This control is based on the fact that a person's behaviour is the result of a complex interaction of many circumstances, among which an important role is played by personality itself. However, as has already been noted, the moulding of personality, being an individual process, is at the same time determined largely by the contact of the individual in question with other people and his assimilation of the products of their creativity. Consequently, it is impossible to understand, by studying the individual alone, what forms the basis of his way of thinking and actions, and, thus, impossible to influence his behaviour in a purposeful way. In individual forecasting this connection of types of behaviour is taken into account. But attention is focused on the peculiarities of the behaviour of a concrete person. This makes it easier to solve the problem of individual forecasting and enables us to forecast a person's behaviour. Thus the object of control is also made concrete.

A study of the personality in individual forecasting

In individual forecasting we must proceed from the fact that there are two aspects of studying personality: the theoretical and the practical. The first of these is aimed at an overall profound study of the personality and does not set itself any limits, whereas the second presupposes the collection of the necessary information about the person in accordance with ready-made, scientifically substantiated methods which set a necessary limit to the study of the personality depending on the aims of this study. In the course of forecasting individual anti-social behaviour it is necessary to study the individual according to the principle: what does the individual want? what is the individual? what can the individual do? The answers to these questions embrace the social relation of the individual to society, to those around him, and to himself. Such a study of the individual makes it possible to provide a comprehensive evaluation of the behaviour of a concrete person and

to ounetli a programme for influencing him in a definite way. In order to understand and study the future behaviour of a person it is not enough to know the external, objective system of his roles. We must also understand their inner structure, their meaning and value in his own eyes, and explain the individual's psychological make-up. This means a social and psychological study of the man, his personal characteristics. Great importance should be attached to the study of motives here. Nowhere does a person so clearly and fully reveal himself as in his behavioural motives. Motivation occupies a significant place in the mechanism of human behaviour, detection of the laws of which enables us to reveal fully the essence and importance of all other factors of individual activity. And this is extremely important for individual forecasting.

Past, present and future individual behaviour. In individual forecasting the stress is laid precisely on the individuality. General characteristics of the social surroundings are only a reference point (background) for such forecasting. Individual forecasting is based on the unique individuality of a concrete person and the relative independence of his behaviour, behaviour not in a "fixed" form, but in "motion" from the past to the present and from the present to the future. And this already takes us a little away from strict individuality. In order to focus on past behaviour, to detect the genetic roots of the present, it is essential to study the conditions in which the individual developed. These conditions, however, should be assessed from the angle not only of the past and present, but also of the future.

Individual criminological forecasting proceeds from the fact that in the absolute majority of cases criminal behaviour has a "prehistory". It takes shape on the basis of the constant development of contradictions and conflicts that have arisen earlier in various links of the psychological process. Consequently, in order to foresee the future it is necessary to study the individual's social status in the past and present, which includes the circumstances affecting his upbringing, his life in the family, at school and in the work collective, i.e., the circumstances that characterise his whole career. We must see clearly the line of human behaviour that runs through all the links of its different stages. It is this line that determines the main trend of individual criminological forecasting.

It is necessary not only to look into the future, but also to understand the past. When a crime is committed, we can try to reproduce (recreate) the behaviour process that preceded it (the stage preceding the crime). To do this we have to "pass" along the whole chain of cause and effect and find the real data that served as the initial base, the real cause of the criminal behaviour. And it will immediately become clear that the crime was committed not out of the blue, but in connection with preceding behaviour. It will be clear that there were previously "prepared" prerequisites for criminal behaviour. But before the crime is committed no one is likely to "bother" with such an analysis, although the previously "prepared" prerequisites are there for all to see. The main task of prevention, which is connected with the analysis of behaviour preceding a crime and with forecasting on this basis, is to change behaviour well in advance. We must not assume that an individual's behaviour is unchangeable. A law of the behavioural process is its plasticity, reshaping of forms, direction and content. This must be taken into account in individual forecasting and preventive action on the individual.

In analysing individual behaviour, we can see that the dialectical interconnection of its past, present and future is expressed in the following: present behaviour as reality is not only determined by the past, but also influenced in peculiar ways by the future. This is so-called material continuity, i.e., the present "inherits" certain characteristics from the past, and the future from the present. As a result of this continuity an interconnection is formed between past, present and future behaviour. Individual behaviour is a fusion of the three tenses: the past (tendency of development), the present (present characteristics) and the future (possibilities). However, future behaviour is not a repetition of present behaviour, and certainly not of past. Future behaviour often contains a matured rejection of the past and even of the present. Therefore, in assessing individual behaviour we must not try to determine its future by automatically transferring to it the features of the past and present. Future behaviour is a dialectical change of past behaviour. It must be remembered that individual behaviour reproduces itself in a definite way, changing constantly with the passage of time. But it should also not be forgotten that the logic of development of behaviour never manifests itself in "pure" form insofar as there are influences from without. Consequently, in individual forecasting we must proceed from a study of behaviour in its "pure" form to a study of the influences on it from without. A correct

assessment of all these circumstances taken together will enable us to compile a scientifically based forecast of individual behaviour.

The aim of individual forecasting

The aim of individual forecasting is to predict scientifically whether or not it is possible that a concrete person will commit a crime; what circumstances could lead this person to anti-social (criminal) behaviour; and what could prevent such behaviour. Obviously another question can also be asked: whether or not it is possible that a person will become a victim of crime. To reply to all these questions is to solve not only the problem of forecasting, but also to a certain extent the problem of individual prevention of the different forms of deviant behaviour.

The aim of such forecasting is not to establish whether this or that person will definitely commit a crime or definitely not commit it. Forecasting, we repeat, determines the possible behaviour of an individual in the future with all the concomitant consequences (positive and negative). A negative forecast assumes that the person may commit a crime if certain preventive measures are not taken and his behaviour is not changed for the better. So it is not essential that a negative forecast be justified. Nor do positive forecasts always come true, insofar as it is sometimes impossible to take the relevant circumstance into account sufficiently fully. For example, one cannot "foresee" the committing of reckless crimes.

The tasks of individual forecasting are to detect persons inclined towards anti-social (criminal) behaviour, to explain the laws and peculiarities of their behaviour in the future, and thereby to create the conditions for effective preventive action on the concrete person. With the help of this forecasting the prerequisities are created for individual preventive work, a concrete system of preventive measures (in relation to a single individual) is determined for a period in advance, and well-founded plans of individual prevention are drawn up.

2. APPLIED PROBLEMS OF FORECASTING INDIVIDUAL ANTI-SOCIAL BEHAVIOUR

Individual forecasting is particularly necessary in the everyday practical work of the crime-control bodies in the USSR. It should be done by members of the police force (Soviet militia), people's courts, corrective labour institutions and, to a certain extent, the Procurator's Office workers. The prediction of the possible behaviour of each concrete person done by these bodies has its own special features. At the same time their prognostic activity has much in common. The militia, the courts and the corrective labour institutions exert an educative influence (depending on the specific nature of their activity) on a concrete person (offender, criminal) at different periods of his life. In exerting this influence it is important to know not only the person's individual characteristics, but also the possible variants of his future behaviour. This is necessary for purposive, planned, educative action on the individual. The educative activity of the bodies controlling crime is expressed, first and foremost, in the elaboration and implementation of a system of preventive action on an individual, and this is impossible without individual forecasting.

The preventive role of individual forecasting

Individual forecasting pursues the aim of predicting not "all" or "any" behaviour, but only that which is connected with the need for taking concrete measures in relation to an individual, the organisation of individual prevention. The individual forecast is decisive for organising planned work to prevent possible crimes by certain persons. In this sense such a forecast can be regarded as preventive. The preventive role of individual forecasting is seen when on the basis of a prediction anti-social behaviour (and in the final analysis a crime) on the part of a concrete person is prevented, when individual preventive work is analysed in relation to a single individual. As a result of the activisation of preventive work an ever growing number of people, from whom because of their anti-social behaviour one might have expected the committing of a crime, have not embarked on the criminal path. Experience shows that this happens when there is a close connection between

individual forecasting and individual preventive work: whereas the aim of the former is to predict a person's possible future behaviour, that of the latter is to overcome the anti-social tendencies in his behaviour. Both these aims promote the successful crime control.

Individual forecasting should be regarded as a special stage in the study of the individual, which directly precedes preventive action. Of course, strictly speaking, this type of forecasting should not be called the final stage in the study of the individual, and it is impossible to demarcate clearly all the stages of the prevention of anti-social behaviour—from the detection of a person in need of preventive action to his being removed from the prevention register. Prevention forms part of all these stages: the detection of the person, the study of the individual, and the behaviour forecast. But nevertheless individual forecasting provides information which enables us to place prevention on a higher level, to direct it towards the future. Moreover, this forecasting is also continued throughout individual prevention, adjusting its action, direction, etc. This is how individual forecasting acquires an offensive nature.

> Practice shows that in the process of organising individual preventive work, in selecting the objects of individual forecasting one must proceed from the assumption that as a rule it is persons who lead an anti-social, amoral way of life that are likely to commit crimes. True, the activity of the crime-control bodies should include the forecasting not only of unlawful, but also of lawful behaviour of persons who come to the attention of these bodies. The latter is essential, for example, for deciding whether to remove a person from the prevention register. But for the organisation and day-to-day carrying out of the prevention of anti-social behaviour the main thing is the compilation of individual forecasts in relation to persons who are likely to embark on the criminal path. It must be stressed that this forecasting does not mean suspecting all citizens who make a mistake in life by committing some sort of misdemeanour. This would be a crude violation of Soviet laws and contrary to the requirements of crime control. This forecasting is carried out only in relation to persons whose behaviour is really anti-social and who are in need of systematic preventive action. Usually such people are on a prevention register. The assumption that this or that person may embark on the criminal path must be fully substantiated.

Individual forecasting in a court of law. The courts have long since tended to make use of individual forecasting in their work. It is essentially on the basis of the prediction of the future behaviour of persons that such questions as

the release and expunging of the record of conviction, conditional release from punishment before the expiry of its term, etc. are decided.

The court should regard forecasting the behaviour of an accused person as one of its main tasks, in the belief that each sentence of the court or decision of a public body for the administration of justice is a kind of forecast: whether the measure adopted can correct the offender and what can be expected from its implementation. Such a forecast is the subject of criminal-law science, an indication of the effectiveness of state educational measures. One of the trends for improving the activity of the courts is the working out of prognostic directives, which will give the court or the institution cooperating with it an opportunity to individualise the sentence. At the moment of decision-making the judge should possess abundant material providing a basis for studying the accused, the reasons why he has deviated from the right path, and for forecasting his behaviour. In short, individual forecasting should promote the individualisation of punishment. In the trying of a criminal case the judge and the court as a whole perform two functions: 1) passing juridical judgement as to the presence or absence of *corpus delicti* in the defendent's act of commission; 2) a forecast which should be made in determining the punishment, the colony regime, etc.

In assigning punishment the court, as we know, does not take revenge on the criminal for the act he has committed, but applies a punitive measure which is capable of correcting the guilty person and deterring both him and other persons from future crime. In so doing the court takes into account that the aims of crime prevention can be achieved only if the persons concerned are aware of the inevitability of punishment by law. Consequently, the main tasks of the courts in controlling crime are, firstly, to ensure the inevitability of punishment and, secondly, to prevent new crimes in the future. The solution of these tasks depends largely on the correct organisation of forecasting in court practice. It must be remembered that present-day theoretical and practical requirements have confronted the judge with new and complex tasks. Now he cannot confine himself to "simply" assigning punishment, taking into account "purely" juridical requirements. Today, when the modern Soviet judge knows (and must know) not only law, but

also psychology, pedagogics, sociology, criminology and other sciences, he is obliged to study the personality of the guilty person in each concrete case sufficiently fully to forecast his behaviour, albeit in the near future. A study of the personality of the criminal is becoming an integral part of court proceedings and the problem of assigning punishment (determining its type, length, etc.) is not only to determine correctly, according to a strictly "juridical scheme", the punitive-educative measure (which is, of course, extremely important), but also to study and explain the concrete causes and conditions that "led" the person to crime, the motives for his action, his past and present life, the situations in which he found himself, his environment, his aims, strivings, intentions, moral and psychic forces, state of health, etc. The problem is to establish the connection between all these characteristics from the standpoint of the past, present and future and to determine possible behaviour variants of the defendant (guilty person) in the immediate future—in fact to make an individual forecast. After having completed all this work, the judge will be able not only to take the necessary preventive measures to eliminate unfavourable situations in the guilty person's life in future, but also to apply a truly effective measure of punishment (within the law). These measures will be well-grounded from the angle of scientific forecasting too.

The prognostic conclusion on the possible future behaviour of the guilty person may be reflected in the motivating part of the sentence. This would reinforce the responsibility of the court for the decision taken and improve court practice in the sphere of individualisation of punishment. As we know, the principle of individualisation of punishment is enshrined in criminal legislation. It corresponds to the aims of punishment, the success of which depends on the extent to which the peculiarities of the crime committed and the personality of the accused are taken into account in the assigning and executing of the sentence. Essentially the court selects the kind and amount of punishment and the type of corrective labour institution not only in accordance with the principle of individualisation, but also on the basis of foreseeing the guilty person's possible behaviour in the future. The sentence sums up the whole preceding work of exerting an educative influence on the offender

throughout the investigation and hearing of the case, and also outlines the process for his correction and re-education in the future.

Individual forecasting in the activity of corrective labour institutions. Whereas a judge who is working on a forecast of the behaviour of a person has only a short time to study the material of the case and have talks with him, a worker in a corrective labour institution has far greater possibilities in this respect: observation of the convicted person is carried on over a long period and his behaviour, actions, attitude to the crime committed and to his penal regime work, etc. are analysed. The convicted person in a corrective labour institution is (should be) known to everyone, from the section head to the teachers in the general education school and the workshop foremen. Each worker can express his opinion (a kind of expert assessment), independently on the possible behaviour of the convicted person in the future both during the serving of his sentence and after release from the corrective labour institution. The generalisation and assessment of these opinions may be represented as an "expert" individual forecast.

In fact corrective labour institutions have been making use of individual forecasting for a long time in their practical activity. "Reformed, will not commit a new crime," is what their workers usually write in proposals for a conditional release from the punishment before the expiry of its term. This is actually a forecast of the convicted person's behaviour after he has been released from the corrective labour institution (ahead of time, consequently, a "confident" forecast). In individual forecasting it is always important to determine the period (the range of the forecast). Surveys in a number of corrective labour institutions have shown that individual forecasting requires a prolonged study of the behaviour of the convicted person, taking into account his acts not only in recent times, but over a long period in the past. It has also emerged that many factors influence the accuracy of the forecast. Firstly, a profound and comprehensive study of the individual from the viewpoint of various branches of knowledge is necessary. Secondly, prognostic research should be started long before the question of releasing the convicted person from the colony is decided. Thirdly, the period for which the behaviour is being forecast must be known. Fourthly,

character references of the convicted person must be obtained for the period not only of his stay in the corrective labour institution, but also before his conviction. Fifthly, one must know (albeit in general outline) the circumstances, conditions, in which the convicted person will find himself after release.

Interesting data have also been obtained concerning the factors taken into account in forecasting individual behaviour: the more factors are taken into consideration, the more effective the forecast will be. However this does not mean that we should strive to take account of as many factors as possible. There is a definite limit at which the number of factors taken into consideration does not change or hardly changes the qualities of the forecast for the better. It is important to determine, first and foremost, the "weight" of each factor.

Individual forecasting is of great importance for reinforcing the results of the correction and re-education of convicted persons. Workers in corrective labour institutions who have studied the individual peculiarities of a convicted person can do a great deal to determine the subsequent life's path of this person. It is particularly important to establish "continuity" between the corrective labour institution, on the one hand, and the state institution and the public in the locality where the released person is going to reside, on the other. This means reinforcing the results of the punitive-educative action and carrying out preventive measures with persons released from corrective labour institutions. Such work must be planned. Consequently, it is essential to compile forecasts of different kinds, including individual behaviour forecasts. Here, obviously, social control must be considered.

Forecasting and social control

The effectiveness of social control can be increased with the help of individual forecasting. Firstly, a forecast will help social control to be more effective. On the basis of a forecast individuals in special need of control can be pinpointed. Secondly, a forecast can reveal the "uncontrollable" actions of the individual, thus widening the sphere of social control. Thirdly, the aim of control is to encourage the individual to respect universally accepted values (of

society, individual collectives), and a forecast, by taking account of the changing behaviour of the individual in the future, determines the possible ways of inclining the individual to normal behaviour. Fourthly, with the help of a forecast we can determine (in general outline) the effects of social control on the behaviour of a concrete person. In all cases when we are dealing with the prevention of anti-social behaviour, a forecast plays the role of an "indicator" for the proper direction of social control. Obviously preventive social control cannot be divorced from preventive individual forecasting.

CHAPTER VIII

THE CONCEPTION OF SOCIAL PREVENTION AND THE LIMITS OF ITS FUNCTIONING

1. DETERMINING THE CONCEPTION IN RELATION TO THE CONCEPT OF SOCIAL PREVENTION

What is social prevention? Does this term merely conceal an attempt to give a new name to old and very familiar things or does it really express a new conception in the understanding of the history of social development, the history of sociology and law, criminology? To my mind, the word "conception" is most appropriate here. It means a system of views of particular phenomena, a way of looking at them, the understanding of certain processes; it is a basic point of view, a guiding idea for the elucidation of the questions studied, a constructive principle for this or that type of activity. Social prevention, strictly speaking, is not so much a scientific discipline as a definite point of view on what is most important in the system of combating the various anti-social acts. The conception of social prevention, elaborated by the collective efforts of the representatives of different social sciences, is a great creative contribution to the theory and practice of crime control.

What is the essence of the conception of social prevention and what is its significance? Firstly, this conception is of fundamental importance for understanding the nature of the fight against anti-social acts in the present day. Secondly, by deepening our view of the fight against anti-social acts it serves the further concretisation of theory, of Marxist-Leninist teaching on the negative phenomena that exist under socialism. Thirdly, the conception of social prevention not only deepens our view of anti-social acts

and the fight against them, but also reveals the dimensions, complexity and multiplicity of the tasks that arise in this fight. Fourthly, it provides a theoretical substantiation for ways of overcoming negative phenomena under socialism. Fifthly, the conception of social prevention reveals the essential features and peculiarities of the main stages in the future trend of the preventive activity of society, of the state.

> Being a generalisation of the experience of the relevant scientific and practical activity, the conception of social prevention is an achievement of collective thinking. There can be no creative development aimed at the "construction" of conceptions without the study and generalisation of experience—both theoretical and practical. It is this experience, "changed" into a conception, that helps us find reliable ways of fighting anti-social acts. However, theoretical research is developing and practical work improving, and this will inevitably bring new experience, thereby enriching the conception of social prevention. But looking for new forms, ways and means does not mean ignoring accumulated experience. The conception of prevention exists and will develop.

It should be noted that the actual conception of social prevention is closely linked with the essence of the fight against anti-social acts. The study of the theoretical and practical aspects of this fight should be done in such a way as to cover this complex branch of activity fully and comprehensively. And this means an analysis of the "preventive aspects" of all the social and some of the natural sciences and the various types of social practice in close unity.

The foundations of the conception of social prevention lie in the brief, but extremely important and accurate definitions contained in the writings of the classics of Marxism-Leninism. Here we find an extremely precise expression of the many aspects of social prevention. In the broad sense, however, the content of the conception of social prevention extends beyond these definitions. In practically all Party documents and the writings of social and some natural scientists, when they deal with questions of social development, social relations, the moulding of the individual, education, etc. we find the "elements" which constitute the conception of social prevention. All this is concretised (and concentrated) mainly in the works of sociologists and jurists, psychologists and educationalists, sometimes in medical writing, and particularly in criminological writing. The conception of social prevention is expressed most

vividly in criminology. For this reason it is sometimes called the "criminological conception of social prevention". But this name is to some extent conventional.

We have not tried here to reveal the content of the conception of social prevention, for it finds expression in the following chapters of the book.

The general concept of prevention

Social prevention is the prevention of offences, of anti-social behaviour. It has a social basis. It belongs to the universal, "pivotal" categories of the criminal-law sciences and holds an important place in the relevant conceptual apparatus.

Prevention is characterised by a complex inner structure and varied expression in the state-legal and social sphere of society. But the main, essential feature of prevention is that it is aimed at not allowing offences (or crimes), at preventing anti-social (or criminal) behaviour. This constitutes the "quintessence" of the concept "social prevention". Nevertheless, it is seen in many aspects, through the prism of the system of theoretical and practical demands made on the various spheres of the life and activity of society and the state. This explains why prevention is analysed from the angle of the mechanism of social and legal regulation, the social mechanism of its "own" action, its social value and social justice, the forms and methods of acting upon members of society, its administrative nature, etc. Consequently this concept is a collective, complex one.

In characterising the concept of social prevention on a general plane, we can say that by prevention we mean systematic, purposive, preventive action on individual citizens leading an anti-social way of life, which is applied both in their own interests and in the interests of society. Prevention is a specific form of social activity, which may be divided into two aspects: practical-reformative and scientific-theoretical.

Prevention as a type of theory. As we know the theory of social prevention has been created over many decades, comprising the elaboration of individual problems, the formulation of concepts, definitions, etc. Today it has the features of a well-developed theory in keeping with the methodological demands of modern science. This theory

has already attained full maturity. It has worked out its own "instruments" and its own categorial apparatus.

The emergence and development, the active "functioning" of the theory of social prevention reflects increasing specialisation in this area, constantly developing preventive activity, both reformative and theoretical. This is yet further proof that prevention can and should be seen not only as a type of practice, but also as a theory, as a conceptual system of scientific knowledge obtained in the genesis of practical reformative activity aimed at combatting anti-social acts. In this case social prevention is a definite set of ideas, conceptions and scientific hypotheses that accumulate knowledge on the relevant activity of the state and society.

Prevention as an academic discipline and as a teaching subject. Social prevention is now a separate (special) academic discipline. This course has been introduced in a number of higher and secondary educational establishments in response to the requirements of crime control. Prevention is defined as the main trend of this control. The teaching of this course in higher and secondary educational establishments (the course has different names in different establishments: social prevention, prevention of offences, crime prevention) is the result of the high demands which the Soviet state is making on the prevention of crime and offences. In recent years this academic law course has found a place in the system of academic disciplines training specialists capable of qualified preventive activity. Prevention has become a separate teaching subject. This subject overlaps with many other academic disciplines and is reflected in the selection of appropriate teaching material. It would be more precise to call this subject (academic discipline) "the social prevention of anti-social behaviour". This name is in keeping with the special purpose of the course in question. It also reflects a broad social approach to the problems of crime control.

The special purpose of the academic course of social prevention to train the necessary personnel enables one to characterise it both as a theoretical and as an applied academic discipline.

The applied aspect. The content of social prevention as an academic discipline includes the body of knowledge employed in practical activity. At the same time, social

prevention can be represented as a complex interdisciplinary course.It has two main groups of interdisciplinary connections. It employs the methods of other sciences, for example, philosophy, political economy, and scientific communism, although the subjects of these sciences do not bear directly upon social prevention. The other group is directly connected with the subjects studied by other disciplines, say, criminal law, criminal procedure, criminalistics, corrective labour law, which is reflected in the presence of overlapping problems, common tasks and main aims.

By stressing that social prevention is an applied discipline, the aim of which is to help solve practical problems, we do not mean that a social prevention course can be characterised solely as an applied academic discipline. On the contrary, we wish to emphasise the *theoretical aspect* of social prevention too. There can be no successful activity in the sphere of crime control without the theoretical generalisation and theoretical interpretation of this activity. Here it is essential to proceed from the dialectical unity of the theoretical and applied aspects of social prevention. The point of departure in the whole course of social prevention as an academic discipline is the theoretical conception.

Prevention as a type of practice

Preventive activity is carried on, as has already been noted, in two most general (main) forms—the theoretical and the practical. Thanks to the practical activity the theory of social prevention acquires an external existence, as it were, or, in other words, the right to exist as "living" theory. Therefore an analysis of the category of "practice" enables us to make it real, perceptible. Here it should be borne in mind that social prevention is not only a certain connection of ideas, theoretical propositions, but the practical activity of the corresponding subjects in certain conditions. It is a kind of synthesis of two conceptions, the theoretical and the practical. The former is transformed during the process of social prevention into the latter, determining the various trends and types of preventive activity in practice. That which we conventionally call the practical conception covers the whole process of the organisation and carrying out of social prevention—control, planning, forms, methods, etc.

Prevention is a special type of social practice that ensures the transformation of social relations as a result of which the conditions (causes, factors) which promote deviant behaviour are eliminated or neutralised. It is aimed in particular at the different objects of preventive action. The actual process of transformation, action, is the practice of social prevention. While possessing its own specific features this process relates only to the sphere of social relations that manifest themselves owing to the emergence of various forms of deviant behaviour and the realisation of measures to overcome (prevent) such behaviour. It is this what distinguishes prevention from other types of social practice.

The dialectical unity of preventive theory and practice. Thus, we can speak of two aspects (types of activity) of social prevention—the theoretical and the practical. However, in singling out these aspects to facilitate their consideration, we must know that taken together, they form that which it is customary to call social prevention as a whole. Here we must proceed from the following: theory differs from practice because it is the spiritual, mental reflection and reproduction of reality; at the same time it is indissolubly linked with practice, which presents knowledge with pressing tasks and demands their solution. Therefore the practice of social prevention and its results in generalised form are an organic element of the theory in question. This is what characterises prevention from the point of view of its unity.

The various types of social prevention

All prevention, evaluated from the viewpoint of its ultimate aim, is social, for the behaviour of a person (people) is determined to a great extent by the social surroundings. Without studying the latter, it would be difficult to go further than superficial description. Going deeper into the broad social sphere, however, and studying the various anti-social acts, is like descending into a volcano, the bed of which is seething with the forces of soc al life.

This is why social prevention plays such a large part in crime control, in the prevention of anti-social behaviour. For all the importance of administrative and legal measures, the decisive role in overcoming anti-social phenomena is

played by social prevention, the elimination of those concrete economic and social factors that in some way or other support the existence of moral anomalies.

Social prevention is often called general social prevention, a reference to the general (in the broad sense of the word) system of social regulation of social life, the direction of social processes. In this connection it should be noted that general social prevention is the all-round development of those factors in socialist society that are not directed specially to the elimination of the causes of offences (including crimes), but promote the solution of this task by creating positive conditions that exclude or at least reduce the action of the relevant factors (criminogenic included). In other words, general social prevention covers a broad sphere of economic, political, ideological, cultural, everyday and other social measures which are aimed at performing the tasks of communist construction and also promote the elimination of the causes and conditions of crime. Here it is a question not of the direct, but of the indirect influence of social prevention on the so-called criminogenic environment. Actually, in such cases it is a matter not of the prevention of offences (crimes) but of the system of social prevention as a whole. The elements of this system are the different (individual) types of prevention. One such type is the prevention of anti-social (criminal) behaviour.

The objective foundations of successful social prevention lie in the very nature of socialist society and the socialist state. The steady advance of this society, the improvement of the socialist state system, inevitably lead to a development of social relations that signifies the victory of all that is new and progressive, that has been established as a result of overcoming contradictions with the old and obsolete. It is this, first and foremost, that promotes the steady elimination from the various spheres of society of phenomena (factors) that in certain conditions act as diverse causes (and sources) of anti-social acts. Moreover this or that trend in social prevention (e.g. the prevention of anti-social behaviour) can be seen as one of the types of the internally uniform activity of society that is aimed at preventing the violation of social norms, including moral and legal ones. In such activity economic, political, ideological, moral, legal and many other factors are intertwined. Therefore in reality social prevention acts as an extremely

complex system, the content of which is made up of many different elements. These elements, which form blocs, constitute corresponding trends of preventive activity. They are usually divided into two main trends: moral prevention and legal prevention. Their close interconnection is evident.

Moral prevention is directed, on the one hand, against those social phenomena that determine the violation of the norms of communist morality. On the other hand, this prevention acts as a means for the correct social orientation of members of society, a reliable moral compass and stimulus of behaviour. The preventive function in the activity of the various institutions working for the establishment of communist morality is realised by means of the propaganda of moral principles and values that produce a certain type of assessment of people and place the aspirations, motives and attitudes of each member of society under the control of public morality. The main aims and tasks of moral prevention are: to develop in members of society the moral ability of self-regulation, the proper assimilation of moral norms, and unswerving guidance by these norms in their behavioural acts and actions. Moral prevention is a condition of the successful prevention of anti-social behaviour.

Legal prevention is directed toward the prevention of all breaches of the law. This is what determines its social value. Born of the need to control crime and enforce the law as a whole, legal prevention plays an important role in the life of society. Here we can speak not only of preventive, but also of law-enforcement activity. Their content is the detection and elimination of causes of offences, i.e., the prevention of breaches of legal norms, the detection and elimination of offences, and their control. Depending on the type of offence against which the preventive measures are directed, one can pinpoint the line of preventing civil, administrative, financial-economic offences, etc. Criminal-law (or criminal) prevention is a special type. This, in fact, is the prevention of criminal behaviour.

The system of criminal-law prevention consists of the following: prevention carried out within the framework of criminal law, criminal-procedural prevention, criminalistic prevention, corrective-labour prevention, etc. The main element in this system is criminological prevention. All

other preventive trends belonging to the so-called criminal sphere, for example, "operative investigational prevention", are individual (special) types of preventive activity and, as a rule, form part of the content of criminalistic, criminal-procedural or corrective labour prevention.

A special feature of criminal-law prevention is that it is aimed directly at preventing criminal behaviour, at detecting and eliminating the causes and conditions of such behaviour, the circumstances that are conducive to it. Such prevention is carried out in relation to persons who have committed crimes or attempted to do so, persons inclined to such acts by virtue of their anti-social behaviour, and persons in need of correction and re-education (convicted persons).Therefore elements of coercion predominate in measures of criminal-law prevention compared with general social prevention. Hence also the scope of this prevention: it is relatively limited, first and foremost, by the applicability of the corresponding legal norms.

Criminological prevention is carried out in a specific and relatively narrow sphere of social life—in the sphere of crime control. But without entering the broad social sphere, without manifesting its social essence, this prevention, like all other types of criminal-law prevention, remains merely form devoid of content. Criminological prevention, as a component part of general social prevention, is organically linked with moral and legal prevention. In other words, it is linked with the various forms of deviant behaviour, anti-social included. Therefore criminological prevention, which belongs to the juridical sphere (for it is connected, first and foremost, with offences, particularly crimes) and is at the same time social in its content, belongs to the sphere of economics, demography, psychology, pedagogics, the sociology of work, the family, everyday life, the sphere of such juridical sciences as civil and family law, civil procedure, labour law, etc. Thus a ramified system of prevention with many aspects and levels is formed. But it is a system of criminological prevention, and its specific nature is determined by the specific object of its action—crime. This prevention is aimed at combatting the sources of the processes (phenomena, factors) that determine crime. Hence its specific nature.

Thus, criminological prevention is a most active form of social activity. This type of activity is characterised as

an integral process that goes on in social life. Criminological prevention is rightly called the social prevention of anti-social (including criminal) behaviour.

Special prevention. As we have already seen, in its most generalised form the prevention of offences (including crimes) is ensured by the whole development of Soviet society, its economy, ideology, culture, etc. However, an essential component of this social process is specialised activity for the prevention of anti-social (including criminal) behaviour, namely, special prevention. This purposive activity rests on the state bodies and public organisations whose special function is the prevention of crimes and other related offences. By special bodies we mean in this case the agencies of the Ministry of the Interior, the Procurator's Office, the justice, the courts and certain public organisations (formations)—the voluntary people's squads for the protection of public order, prevention committees, etc. Prevention at the special level covers measures directedly aimed at preventing a crime. Such measures differ from measures at the general social level by their special function and purpose: the solving of preventive tasks constitutes their whole content. It can be said that special prevention is the concretisation of general social (including moral and legal, of course) preventive measures. For its special implementation special methods, devices and means are necessary. This is particularly true of the preventive activity of the agencies of the Ministry of the Interior. It is activity with a special purpose, if we might put it like that.

However special prevention is so called not only because it is specially directed at achieving certain aims with the help of methods characteristic of special bodies, but also because it demands special and even professional knowledge. This is connected with the training of personnel capable of carrying out special prevention, the prevention of criminal (anti-social) behaviour.

There is a connection between the special and other types (variants) of prevention. This is particularly true of criminal-law prevention. It can be successful only when special prevention "operates", and, conversely, special prevention cannot be effective if there is no criminal-law preventive action. This line of connection runs through all the trends of preventive activity—from general social to special prevention.

2. SOCIAL PREVENTION IN THE SYSTEM OF MEASURES FOR CRIME CONTROL

When theorists, as well as practical workers, discuss crime control, alongside the term "prevention" they use such words as "deterrence" and "suppression", in some cases to mean the same thing, in others different things. Let us state from the outset that all these terms do not exclude one another. They are more similar than different.

As we know, ten or fifteen years ago social practice in the USSR did not demand the strict definition of these concepts. Today the situation is quite different. The sphere of crime control, and consequently the closely related prevention of crime and offences, is becoming the subject of direction, comprehensive planning, not only short-term planning covering the next five years, but also long-term over a considerable period. And this, of course, requires the detailed consideration of a number of questions and the precise employment of terms. Therefore we must clarify the meaning of the prevention of crime and offences (crimes) and of the deterrence or suppression of crimes. In which direction should we guide crime control? We must concretise these definitions and concepts. And we must bear in mind that they (the concepts in question) were formed as a generalisation of the experience of the historical development of criminological thought, the relevant social practice and scientific knowledge. But we must remember also that this experience has not provided us with ready-made definitions suitable for all occasions. Nor could it have. Marxism teaches us that "where things and their interrelations are concerned, not as fixed, but as changing, their mental images, the ideas, are likewise subject to change and transformation; and they are not encapsulated in rigid definitions, but are developed in their historical or logical process of formation".[1] This applies also to the terms or definitions in question. Each of them has a certain semantic function. We shall attempt below to explain the content of each of them.

Crime control is a very broad concept. It covers the whole work of the CPSU, the state and the public which is aimed at protecting the interests of socialist society, its organisations and citizens against criminal encroachments, the work directed towards the gradual eradication of criminal acts and the elimination of crime. Everything belongs here, from the drafting of criminal legislation and its enforcement to reinforcing the results of the correction and re-education of persons who have committed crimes. Consequently, the system of crime control includes: the detection of crimes

[1] Karl Marx, *Capital*, Vol. III, pp. 13, 14.

and of criminals, the investigation of crimes, the assignment of punishment and execution of sentences, procuratorial supervision of this activity, and law enforcement in the sphere in question. Thus, here the prevention, deterrence and suppression of crimes merge. But the main thing is the detection and elimination (eradication) of the causes and conditions of crime, the circumstances conducive to the committing of crimes. Crime control is carried on by the various measures for preventing this socially dangerous phenomenon. Here we find an intertwining of two concepts—"crime prevention" and "crime control". To our mind, the latter is broader than the former. The content of crime control includes all the relevant types of activity without exception, including crime prevention. Crime control may be interpreted as the corresponding policy.

The analysis and demarcation of certain important concepts is not only of theoretical, but also of practical significance. It is necessary, first and foremost, for the proper organisation of crime control.

> The concept of the control of offences is broader than that of crime control. They are defined proceeding from the relationship of the concepts "offences" and "crimes". This also applies to the concepts "prevention of offences", "deterrence" and "suppression". Usually the concepts "prevention of offences" and "prevention of crimes" correspond to the concepts "prevention of anti-social behaviour" and "prevention of criminal behaviour".

The terms "prevention" and "deterrence" of crime are used as synonyms. However, it should be borne in mind that crime control is an activity that has many levels. Therefore the equation of these terms obscures the full complexity and specific nature of the different trends of crime control, the essence of each trend.

Crime prevention. This concept may be interpreted in the narrow (criminal-law) and in the broad (socio-political) sense. Basically, by criminal-law prevention in the traditional and narrow sense we mean the institution described in the terms of the corresponding sciences, the demands of which are put into effect mainly in the process of the assignment and execution of punishment. In general it can be said that the idea of the prevention of crime runs through the whole system of criminal-law institutions. However, the practice of crime control in modern conditions shows that in defining this concept it is essential to proceed from

a broader standpoint—socio-political, economic, ideological, etc. Such an approach makes it possible to formulate the concept of crime prevention in the broad sense, which includes different (by no means relating only to the law) measures by state bodies and public organisations, by society. Here we are dealing with the prevention of crime as a phenomenon.

In speaking of the content of the concept "crime prevention" (in the broad sense), we would note that it denotes the essentially objective process of the eradication of crime as a socially dangerous phenomenon. The foundations of this process lie in the profound socio-economic transformations that have destroyed the exploitation of man by man, class antagonisms, national inequality and enmity, and established the principle of public ownership of the means of production. This means the elimination of the basic social cause of crime. As socialism develops, opportunities are increasingly arising for abolishing the negative phenomena (sources, causes, conditions) that engender crime. Today the content of crime prevention is a science-based set of state and public measures of influencing negative factors that promotes the eradication of this socially dangerous phenomenon. Here we are dealing with the prevention of crime as a phenomenon. Moreover account is taken of the historical nature of the process of crime prevention, its objective foundations and the role of the subjective factor in accelerating this process. It is here that the special feature of the concept under review manifests itself.

Briefly the concept "crime prevention" may be defined as follows: it is a category denoting an historically developed system of objective and subjective prerequisities for the elimination of crime, and also a set of state and public measures aimed at eradicating this phenomenon and the causes and conditions that engender it. In this case crime is regarded as a social phenomenon. Therefore crime prevention is a social process that reduces, limits and eliminates the phenomena that give rise to crime. In its most general form crime prevention is ensured by the sum total of measures aimed at developing and perfecting socialism.

Prevention of offences. The process of crime prevention includes the most varying types of preventive activity. One such type is the prevention of offences (crimes). The prevention (and in the final analysis elimination) of crime

as a phenomenon always presupposes the effective prevention of offences. Here, however, we must define the concept (prevention) both in the narrow and in the broad sense of the word.

In the broad sense it is the prevention of concrete crimes, the deterring of individual members of society from committing offences, indictable unlawful acts of commission which are crimes; it is activity aimed at preventing breaches of norms of law, in particular, of criminal law (criminal legislation). In this sense the content of prevention also includes law-enforcement activity, i.e., the detection and elimination of crimes. In the narrow sense prevention can be understood as, firstly, the detection and elimination of the causes of crimes (offences) and the conditions and circumstances that promote their committing, and, secondly, the detection of persons who are likely to commit a crime (by virtue of their anti-social inclinations) and the application of the necessary measures to them. Together these two concepts form the single content of the concept "prevention of crimes" or "prevention of offences". We shall proceed from this concept.

But what is the relationship of the concepts of crime prevention and prevention of offences? In what do they resemble and differ from each other? Whereas the concept of crime prevention is used to denote both the objective prerequisites for the eradication of this phenomenon and the subjective factors of its control, the concept of the prevention of offences expresses only a special activity. In all its fullness, however, this activity is characterised as the conscious, purposive process of preventing all breaches of social norms (including moral, legal, and criminal-law norms). This explains why we speak of the social prevention of deviant (including amoral, illegal and criminal) behaviour. Thus, the prevention of crime should be regarded, on the one hand, in connection with the general process of eradicating the phenomenon in question and, on the other, in connection with the need to carry on preventive activity. An analysis of its content enables us to regard the category of "social prevention" as the most important component of the process of crime prevention. The relationship of the concepts of prevention of crimes (offences) and crime prevention may be represented on the philosophical plane as the interconnection of the part and the whole, the particular and the gene-

ral. The whole (general) is crime prevention, and the part (particular) is prevention of crimes.

However, consideration of these concepts at the level of individual prevention of crimes has its own special features. They are connected with the study of such definitions (terms) as "deterrence" and "suppression".

The deterrence and suppression of crimes. Prevention of crimes at the individual level includes social prevention, deterrence and suppression. In this sense the concept of prevention is a collective or complex one. The earliest stage of preventive activity aimed at preventing a crime on the part of a concrete person, individual, is social prevention. When it is not sufficiently effective the need arises to deter or suppress the crime. However the concepts of deterrence and suppression, from the point of view of individual crime prevention, often appear to be identical, although they have different nuances. We must now examine them.

As we know, however quickly a crime may be committed, it is never a single act in time, but is a complex system of acts and actions by the guilty person both before, during and after the crime. To these acts and actions (and to the actual crime itself) must be "added" the aims, motives, intentions, etc. The crime "matures", as it were, in the individual's consciousness and behaviour. At the earliest stage of "maturing" social prevention (educative, and perhaps also coercive measures) is essential, and then (if these measures do not yield results) when the idea of committing a crime appears (the decision and process of its taking), the centre of gravity of preventive work shifts to deterrence. Individual prevention should begin before a decision is taken and be coordinated rather with the aims and motives of criminal behaviour, with the beginning of the process of decision-making, than with the decision itself. At the same time, in many cases the decision taken is not carried out immediately, and so there are objective possibilities of influencing and altering the decision, of changing the direction of the individual's behaviour. And it is deterrence that promotes this. Suppression is used, as a rule, when it is a question of stopping something that has already begun, for example, a crime. Consequently, to suppress a crime is to exclude totally (by stopping an action that has started) the completion of the event. The whole of this process (from social preven-

tion to suppression) is what constitutes individual crime prevention.

Crime is sometimes of an impulsive (emotional) nature. Its features are the situational commission of the act, its suddenness, and sometimes even an absence of obvious motives. But even in such cases a crime is not always an instantaneous act. It is a very lengthy process if we are speak ing of the possibilities of social prevention, deterrence and suppression, i.e., prevention. Insofar as a crime is always a process that develops in time, the main way of controlling it is to intervene in the process in good time, not to allow its development, to stop it. When we are successful in doing this at the "necessary" stage, we save a person from committing a crime. Life shows us that the "transition" from non-criminal to criminal behaviour is a process in which "crime factors" and "crime resistance factors" interact. A kind of struggle takes place between criminal and non-criminal behaviour. This struggle (contradiction), at first relatively moderate, becomes increasingly acute if it does not experience the "influence" of deterrence and suppression. Without deterrence and suppression this struggle between the processes of "crime formation" and "crime resistance" results in a criminal act, i.e., a criminally punishable deed.

One sometimes hears the view that the suppression of a crime that has already begun does not in itself ensure profound preventive consequences, but that here the law-enforcement bodies, when they begin to act, find the criminal intent, the preparation, ready and, most importantly, the matured readiness (intention) to commit the act. However this is not quite so. Firstly, the suppression of breaches of the law (including crimes, of course) at the outset or the "matured readiness" to commit them is necessary, first and foremost, to protect law and order, the interests of society, citizens and organisations. Here, evidently, we must see the preventive effect. Secondly, suppressing a crime certainly does not mean belated work with a person in the sense that we can now expect nothing good from him. To suppress a crime in good time is to restrain a person (and perhaps also other persons connected with him) from further criminal behaviour.

To our mind, the deterrence and suppression of crimes is the subject of operative investigational activity. It may even be the main aim of such activity. Social preventive

activity is carried on together with deterrence and suppression, promoting a solution of the tasks of preventing crimes. This is special social prevention.

3. THE SPHERE OF SOCIAL PREVENTION AND THE LIMITS OF ITS FUNCTIONING

An approach to the definition of the sphere of social prevention. Society is a complex social organism, in which all its spheres, by interacting, significantly influence the course of social development. To overlook here the sphere that we call preventive, and, particularly, to deny its existence, would be a grave error. Naturally, all the spheres of social life "overlap" in practice. Therefore it is very hard to explain the concept "sphere of social prevention", as also the narrower concept "sphere of prevention of criminal behaviour", and to demarcate the borders (limits) of these spheres and establish the ways in which they differ from other spheres of social life. But it is essential. The sphere of prevention differs from the other spheres of social life. It is a kind of system that has its own "set" of components (sub-systems). It is, first and foremost, preventive activity itself, that is carried out within the limits of operation of the system of prevention as a whole.

Analysing the problem from the philosophical viewpoint, we can say that social prevention is social relations. However, it is not simply social relations, but relations between the subjects (the state and society as represented by their bodies, organisations and some individuals) and objects (individual members of society, certain social phenomena) of preventive action. The sphere of this prevention, therefore, is composed of clearly expressed relations. Their regulation has certain special features. The specific sphere of this preventive regulation is human behaviour, and the essential condition of its being carried out is a realisation of social values, the acceptance of what is proper, obligatory, as the self-imposed obligation, an inner behaviour motive. The difference between social prevention and the other ways of regulating social relations is that it successfully performs its functions only when social norms become the person's own possession. Obviously, proceeding from these considerations, we can determine the sphere of prevention of the different forms of deviant behaviour.

The sphere of social prevention of offences

This sphere is extremely wide, especially if one bears in mind the real opportunities and dimensions of general social prevention. Social prevention is extending its "territory" more and more. This is explained by the large number of subjects and enormous set of objects of prevention, the everyday nature and variety of preventive work. But, having extended the limits of its application and intervened in the solution of many highly important social problems, the prevention of anti-social behaviour is becoming the subject of careful study by philosophers, sociologists, economists, medical and many other specialists. It is extending beyond the framework of the juridical field to the broader horizons of state and public life, expanding its sphere and scope of functioning. This is taking place as society grows increasingly intolerant of offences.

It is essential to have a clear picture of the whole sphere which the social prevention of anti-social behaviour touches upon, to see the whole spectre of problems that arise from this. The carrying out of this prevention, control in this sphere, is of a concrete historical nature. The limits of this control, i.e. of conscious comprehensive preventive action on the appropriate objects, its content, aims and principles depend on the social relations that predominate in the society, on the nature of the socio-political system. And it is this that delineates the limits to which prevention can expand. We are not dealing with a fixed circle of regulators. Evidently we should speak not only of the tremendous possibilities of social prevention in solving problems of eliminating offences (crimes), but also see more clearly its limits, that are determined by the range of social relations. These relations are formed from the diverse state and public activity aimed against elements in the social environment that promote the survival and revival of criminal (anti-social) manifestations, the development of an individual who violates the demands of social norms, including criminal-law norms.

The social prevention of anti-social behaviour is, thus, a special sphere of social relations in which the social (moral and legal) values predominant in society are expressed most clearly.

The place of social prevention in the system of social development

The science, theory and practice of social development shows convincingly that the problem of social prevention cannot be solved in isolation from the system of social relations, from the society in which a person lives and according to the laws of which his principles of activity are formed. It is particularly important to bear this in mind today, when social life is becoming more dynamic and social connections and relations are differentiated, which naturally leads to changes both in the objects of prevention and its methods. Today social prevention is increasingly acquiring the quality of a general social regulator of social relations. This tendency is connected with the steady democratisation of social life and the growing proportion of decisions taken consciously by people on the basis of correctly understood public and private interests. However, one frequently finds contradictions between people, between the individual and society, which are opposed to social development. It is impossible to overcome them without social prevention. Thus, they are a special object of its action, an object which undoubtedly forms part of the system of social development.

As already noted, the process of social development inevitably contains certain contradictions. The consequences of tome of them may turn out to be undesirable for society and sn turn lead to results which are a breach of social, moral and legal norms, and the norms of criminal law. It is precisely this type of problem that should be thoroughly analysed from the standpoint of social prevention. We are dealing with the prevention of undesirable consequences engendered by the contradictory and complex nature of social development. This also shows that social prevention should be considered in the system of social development. It appears as a special form of regulating social relations.

In the carrying out of prevention the people who exert the preventive action and those who receive it inevitably enter into all sorts of social relations: economic, political, ethical, moral, legal, socio-psychological, etc. Their mutual relations are influenced by the social system, the status of the subject and object of prevention in society and their social (national, family, professional, etc.) relations. These factors leave their mark on the actual process of preventive activity. The subjects of prevention are interested not only in the object himself, but also in his socia

relations, his social conditions. In this case the aim and tasks of prevention acquire a special quality—to study a person's social relations, not only the person himself and the act he has committed. The object of prevention is studied, so to say, in the sum total of the social conditions in their present state and historical development. The aim of prevention becomes the influencing of these relations in the interests of making them more "healthy". Therefore we must take as the object of preventive action both the person and his social relations. Deviant behaviour in this case will be seen not only as an individual process, but also as a social phenomenon which takes place within the system of social development. It is impossible to exert a preventive influence on people without changing their social conditions and if the influence of everyday working and living conditions on their behaviour is ignored. Consequently, without changing an individual's social conditions we cannot hope for success in preventive work. Even if there are results at some stage of the preventive action, the person, after returning to his usual, former conditions, will come "knocking at our door" again. It is particularly important to bear this in mind in individual preventive action.

Thus, social prevention presupposes the regulating of various social relations that arise in this sphere. A most important regulator here is preventive activity. With its help the demands of social norms (ethical, moral, legal, etc.) are realised. In practice this means the possibility, and at the same time the need, for the functioning of the relevant social institutions helping to overcome vestiges of the past in society, reinforcing the elements inherent in mature social relations, and supporting the new and progressive. Here it is important to stress once again that prevention promotes the genesis and development of relations that meet the requirements of the state and society. At the same time it serves as an effective means of overcoming relations that are undesirable for the state and society. Prevention eliminates relations that are incompatible with the essence of our society. Consequently it should be seen in the system of social development.

The problem of overcoming the "negative" effects of the contradictions of social development. An absence of antagonisms, i.e. unity in the main things, does not exclude the existence under socialism of contradictory phenomena and tendencies that lead to negative consequences, and even to a clash of interests between individuals and society. It must be noted, however, that in Soviet society every legally capable person is granted considerable freedom in the choice of decisions. This so-called sphere of individual autonomy is char-

acterised by the fact that a person himself determines the most rational variant of his behaviour, commits acts at his own free will and discretion, conforming to the requirements of society and various social norms. The coincidence of the main public and private interests is an objective condition of the cultivation in Soviet people of a considerate attitude, first and foremost, to public interests. And if individual people clash with society, it means they have placed their own interests above public interests. But under socialism on the whole the tendency toward the unity and overlapping of the interests of society, social groups, collectives and individuals is in evidence. This is the result of a lengthy process of development of social relations. It has resulted in the public interest becoming the supreme criterion for the social assessment of human behaviour under socialism. Private and group (collective) interests may be met under socialism only through serving public interests. But here too contradictions arise. The forms of their manifestation are most varied. Therefore the problem of overcoming such contradictions has a multitude of aspects. In any case, however, the solution of this problem is of great importance for successful social development.

Historically Soviet society is progressing towards the optimal coordination by overcoming the contradictions between the individual and society, and between the different aspects of human activity. Contradictions are overcome not spontaneously or automatically, but as a result of many-sided educative work. The problem is to overcome contradictions between people, the individual and society by coordinating the comprehensive development of all with the comprehensive development of each. Consequently we have to see that the number of such contradictions is increasingly decreased and the sphere of their operation reduced to a minimum.

However contradictions between the individual and society can only be overcome through educative action on the individual. This action presupposes the application of measures of coercion, as well as of persuasion. It is here that one can see the place and role of prevention. It manifests itself most clearly when the tasks of combatting violations of social norms are being tackled, particularly those of crime control.

Prevention as a form of resolving the contradictions between the individual and society

By regulating in specific forms the relations between the individual and society, social prevention influences a person's behaviour both for his own sake and for the sake of public interests. This role of social prevention stems from its inherent preventive-regulatory function: to prevent the negative and encourage the positive social relations, and to promote the improvement of society as a whole, of all its members, and of each person in particular. Prevention aims at excluding deviant behaviour and thereby creating conditions of normal existence for the individual and the development of society. The behaviour of members of society is assessed from the viewpoint of public and state interests and requirements. Depending on this assessment society and the state react accordingly to people's behaviour, and in the final analysis with the help of social prevention behaviour acceptable to all is formed. Thus prevention promotes the development of new relations, takes part in their formation, and actively stands in the way of relations opposed to the progressive development of society. Here it acts as a form of resolving the contradictions between the individual and society.

By acting in this way preventive activity demonstrates its protective function. In protecting (defending) the interests of society, it makes use of measures of persuasion and coercion.

However, in connection with the carrying out of preventive action required to resolve the contradictions between the individual and society, other functions of prevention important in this respect come into play. By analogy with law we can, for example, speak of the regulative static function and of the regulative dynamic function: the former strengthens the relations between the individual and society which have been reached at this or that stage of preventive activity, and the latter ensures their further improvement and development up to the complete resolution of the contradictions between the particular individual and society. From this viewpoint it is permissible to talk of the special social value of prevention. For it exists mainly to protect private and public interests.

The functions of prevention

In defining the place and role of social prevention in the system of social development, we must not overlook the problem of its functions. A variety of functions is characteristic of prevention. The main ones are ideological, educative, protective, regulative, and prognostic. All these functions are closely interconnected.

The regulative function. In all periods of social development the main function of prevention has been to regulate people's behaviour in accordance with the social (moral and legal included) norms and principles in which the interests of society are expressed. We have mentioned above the regulative static and regulative dynamic functions. In regulating the behaviour of members of society, social prevention actively realises its own direct function—the *preventive* function. This runs through all the functions of social prevention without exception. It is connected with the fact that the aim of prevention is to deter forms of deviant behaviour. In this way it serves the interests of people and society.

The protective function (the function of defence). The main purpose of this function is to guard (protect, defend) public interests and social values, the society and the state, against breaches of social, moral and legal norms, and particularly against crimes. The defence function characterises all preventive activity. It is very closely linked with observing socialist legality in the prevention of anti-social behaviour.

The educative function. The purpose of prevention is mainly not to coerce, but to persuade, i.e., not to punish and then to correct and re-educate, but to educate with the aim of preventing deviant behaviour, an offence or a crime. Preventive work, by deterring deviant behaviour, is called upon to cultivate in people a sense of civic duty, responsibility to society for their behaviour. The educative function takes prevention into the sphere of ethical, aesthetic, moral and legal education.

The ideological function. It must not be forgotten that in the struggle against vestiges of capitalism in the consciousness and behaviour of members of Soviet society all activity of social importance acquires an ideological slant in the final analysis. To assess it from the viewpoint of

communist ideological commitment, of its value to the cause of building communism, is to show the class, Party approach. All the bodies and organisations engaged in prevention are invested with ideological functions. They ensure the general ideological trend of preventive measures, substantiate their content ideologically, and correctly determine ways, means and methods of all preventive work.

The prognostic function of prevention amounts to the accumulation of material on the state of crime, including prognostic material. This material helps to analyse the present state of crime and determine how it will develop in the future. The prognostic material accumulated by prevention is used to determine the main trends of crime control in the future and to draw up concrete plans for this work, including long-term plans, to coordinate current and long-term tasks of crime control and the development of preventive activity itself.

The experience of preventive activity accumulated in the Soviet Union shows convincingly that under socialism the role of the organisation of social prevention is growing. Moreover a distinguishing feature of this type of activity is the comprehensive solution of the relevant problems. In this connection *the organising function* of prevention has acquired new content. Today in the process of social prevention such tasks are carried out as control, for which analysis and forecasting are essential. Considerable measures are carried out to improve planning, particularly comprehensive planning, and to apply advanced experience and scientific achievements in practice, and such questions as specialisation are being solved. Today the *analytical function* plays a special role.

We can speak of other functions of social prevention too. However, the main functions of prevention, which we have already mentioned, characterise its social purpose and practical value. Prevention itself is a *social function* of the state and society.

It is obvious that prevention must carry out social orders from the state and society. For the objective social need for controlling offences also means the objective social need for preventing anti-social behaviour. It is a question of the social need for the system of prevention, for basing the control of offences on a broad social approach, so that this control itself is seen as a comprehensive social task posed by

the Soviet state and society. Consequently it is they who issue the social order for the carrying out of prevention.

Engendered by the needs of the state and society to eradicate offences, prevention plays an important role in ensuring the people's "social health". Under socialism it is an objective reality. And its social value is growing from year to year.

The social trend of prevention

In performing its functions, regulating people's behaviour and preventing it from deviating from the requirements of society, prevention acquires special social significance, thereby becoming (and quite rightly) a highly important social problem. Prevention is indeed penetrating the social sphere more and more insistently. It is increasingly acquiring a social tenor and, obviously, in this connection its effectiveness is growing and its social significance increasing, alongside, of course, its responsibility to society for the state of public order. Why is this "sociologisation" of prevention taking place? Is the legal aspect being forgotten? Why are we speaking of the social, and not of the legal significance of prevention?

The fact is that the posing of the problem of prevention is, first and foremost, the posing of a social problem. And as we know the posing of any problem is an essential condition for its solution. Nevertheless prevention is not "purely" social. It aims at preventing breaches not only of social and moral norms understood in the narrow (literal) sense, but also of legal norms, including the norms of criminal law. In the broad sense all these are, first and foremost, social problems (for legal norms are part of the system of social norms), and their solution presupposes certain social, not "purely" juridical conditions. There is an enhancement, as it were, of the social significance of the legal problems of prevention, which in no way lose their juridical nature, but on the contrary, make it more pronounced, and do so (paradoxical though it may seem) due to their social importance. The legal problems of prevention are becoming socially justified, socially just and socially valuable. It is the social problems of prevention that are "changing" its legal problems into a social blessing. Herein lies the social strength of prevention. This is why we speak of the social significance

of prevention. And this is why we refer to its social consequences. All problems of prevention should be seen as a component part of social problems.

The aims, tasks and significance of social prevention

Here we must say a word, first and foremost, about the aims of the social (general social) prevention of anti-social acts and deviant behaviour in general. Therefore we must proceed from the fact that the aim of socialist society, or to be more precise, its supreme aim, is the all-round and harmonious development of men, the maximum satisfaction of people's needs. This aim in socialist society acts as an integral relation, as the main trend in the regulation of all spheres of life (economic, social, political, cultural, and legal) and of all socio-economic, political and other formations (the state, industrial collectives, public organisations). This joining of the aims of different spheres of life and structural units into a single common aim is the most important advantage of socialism. Under socialism the main aims of the development of the whole society and the aims characteristic of the individual spheres of social development coincide, corresponding directly with one another. For the task of the moulding of the new man is being solved in all the "cells" of society. Consequently social prevention is also one of the spheres of the moulding of the new man. It promotes the education of man free from vestiges of the past, ideologically convinced and politically conscious, the active builder of the new society. This is its ultimate aim. From it proceed all the other aims of preventive action on members of society.

The overcoming of deviant (anti-social, criminal) behaviour is not an aim in itself. While seeking to deter such behaviour, social prevention does not confine itself to this. It aims at ensuring that each person understands the correctness of social (moral, legal, including criminal-law) norms and implanting in his consciousness the need to observe them. At the same time social prevention also pursues another aim—that of constantly increasing a person's activity and responsibility. However, to do so it is essential for preventive work to influence the individual's consciousness even more effectively. The aim of prevention is to act upon

persons leading an anti-social way of life. Consequently, prevention is work with people, with each concrete person.

The aims of preventive action are concretised depending on the objects and the subjects of prevention.

What are the aims of this action? They are to remove the objective prerequisites of anti-social (criminal) behaviour and to change the consciousness of persons inclined to commit offences (crimes), to remove their contradictions and conflicts, and to exert a positive influence on their views and beliefs. However, more concretely it can be said that the aims of the prevention of offences are: firstly, to limit the influence of negative social factors, which, although lying outside the sphere of crime, are interconnected with its causes, conditions and circumstances; secondly, to act on the causes of criminal phenomena, and also on the conditions and circumstances that promote these phenomena; thirdly, to exert a preventive influence on the negative factors of the immediate social environment (micro-environment) of the individual, which form the anti-social attitudes and motivation of criminal behaviour, and fourthly, to act on an individual capable, by virtue of his anti-social way of life, of committing a crime or continuing criminal activity. The latter refers mainly to persons convicted of crimes. But this problem has certain special features connected with the aims of assignment and execution of the punishment.

It is easy to see the specific nature of the aims of the prevention of offences (crimes). It helps us to distinguish this type of activity from other trends in social prevention from other means of crime control.

The tasks and significance of the prevention of offences stem from the afore-mentioned aims. The tasks of such prevention are as follows; the systematic detection and analysis of the phenomena (processes, factors, causes, conditions and circumstances) that are conducive to crimes; the identification and study of contradictions and conflicts that lead to the emergence and realisation of criminal intentions, and also to the formation of the offender's personality; the constant detection of persons who can be expected to commit crimes; the active influencing of these persons; and the removal or neutralisation of phenomena promoting anti-social behaviour. However, these general tasks, like the general aims of prevention, are concretised depending on the levels,

types, forms and trends of preventive activity. In each case specific tasks are tackled.

Tackling the tasks of prevention involves the exertion of comprehensive preventive action. Therefore the effectiveness of preventive work depends on how these tasks are carried out.

We can speak of different types of tasks in the prevention of offences: organisational, which include various elements (administrative, informational, planning, coordinative, control), legal, the so-called temporal (short-term and long-term tasks), territorial, which concern separate regions or countries as a whole, etc. Usually the type of task corresponds to certain aims. For example, short-term tasks correspond to the short-term aims of prevention, and long-term to long-term. This is how the system of aims and tasks of the prevention of anti-social behaviour is made up.

The significance of prevention is determined, in the first instance, by the fact that it is the most humane means of crime control, a means which envisages education, the deterrence of members of society from crime, rather than punishment. Prevention assumes that it is easier to prevent an offence than to allow it and then eliminate it. This, of course, also characterises prevention from the point of view of its significance. The prevention of offences is fully in keeping with the requirements of social justice. It promotes the improvement of "the quality of life", "the health of the social organism of society", it "cleanses" society of all harmful elements, and all this vividly characterises its social significance.

CHAPTER IX

THE SYSTEM OF SUBJECTS AND OBJECTS OF SOCIAL PREVENTION

1. SUBJECTS OF SOCIAL PREVENTION AND THEIR GENERAL CHARACTERISATION

The prevention system. Under socialism prevention is not an abstract schema, but a definite system with principles of construction and functioning that have a very concrete aim. In taking all steps to eliminate negative phenomena, society and the state effect prevention through the "operation" of this system. Generally speaking the system consists of the objects and subjects of prevention that appear in the form of sub-systems, i.e., sets of elements connected by interaction and by virtue of this forming a single whole. Here the prevention system is assessed from the standpoint of systems analysis, which assumes that each element of any system is described with due account of its place and role, its construction hierarchy, the presence of sub-systems (first and foremost, the sub-systems of subjects and sub-systems of objects). This in turn makes it possible to speak meaningfully of the organisational structure of the prevention system. It is the organisational structure that reflects the system as a whole and its individual parts. It also embodies a certain stability of the connections between the subjects of prevention (within the framework of the system of these subjects) and "confines" them to corresponding objects (system of objects). The question inevitably arises of the content of prevention (methods, steps, measures, types and forms) and of ensuring preventive activity by appropriate means (organisational, material, the so-called human, legal and many others). All this makes it possible to ensure "the

operation mechanism" of the prevention system as a whole. Prevention itself (in the form of a system) becomes a controllable process. In this sense we speak of the administration of preventive activity.

Thus, the prevention system is formed by the subjects of prevention, the objects of prevention, the content of prevention, and the ensuring of prevention. This system is, of course, a social one. And every social system manifests itself, its activity in the process of functioning and development. This manifestation should be an adequate reflection of the nature of the system. The prevention system is subject to the general laws of political, socio-economic, scientific and technological development, the laws governing the development of the state's political system, but it also has its own laws of development. They manifest themselves not in isolation, however, but in interconnection with the laws of development of other social systems. Consequently, we can speak, firstly, of the dialectical unity of all social systems, and, secondly, of the peculiarities of each of them which make it possible to examine this or that system independently. But this "autonomy" is relative.

The system of the subjects of prevention

All activity presupposes an agent—a subject. In the case of the transforming activity (from the global point of view) of society (the state), the subject of this activity is society (the state). By taking a certain direction and manifesting itself in a specific sphere, this activity acquires its "special" subject (or subjects). Here the general social is transformed into the specific. And this is how the special subject (subjects) appears, leading its own "life" and having its own "language", its own laws of behaviour, etc., but acting on behalf of society (the state). In the same way the subjects of social prevention are formed. They represent a special "active wholeness" and therefore have their own definite status. Usually in such cases it is a system of subjects (the sum total of bodies, establishments and organisations that carry out preventive activity), each of which possesses its own specific features and performs definite functions. However, preventive work seen from the angle of its national importance is carried out not only by individual bodies or organisations, but by Soviet society as a whole. Each of its links

must contribute to the common cause. The most important subject of preventive activity is the Soviet state (all its bodies in some degree or other). General supervision of this work is carried out by the Communist Party of the Soviet Union. It unites and directs the efforts of state bodies and public organisations, coordinating their activity to this end. Thus the supreme principle of Party guidance is realised.

The general assessment of subjects. According to established rules, the subjects of social prevention are: state bodies and establishments, public organisations and formations, officials and other workers—the representatives of these bodies, establishments, organisations and formations, and also individual citizens. The subjects of prevention are assessed together as the corresponding system. This is their general assessment. However, alongside this they are subdivided into groups. They are classified according to different features: the bodies and organisations which supervise, guide, and coordinate preventive activity; the bodies, organisations and establishments which directly perform preventive functions and organise preventive measures; and subjects that differ in the scale of the prevention carried out by them—the country as a whole, republics, territories, regions, etc. But in a general assessment of the subjects of social prevention, particularly in their classification, we must take into account other circumstances as well that enable us to classify bodies and organisations in homogeneous groups. Here the following must be taken into consideration.

Firstly, all the subjects of social prevention differ from one another. However, they function, of course, not in isolation, but in interconnection with one another and have a kind of hierarchy. Although they differ in their concrete tasks, scale (dimensions), level and forms of activity, they are connected as a system; they are united by a common aim and a set of "sub-aims", the interconnection of normatively reinforced functions, a legal and informational-analytical base, a purposeful management, coordination and planning. This interconnection (and unification) of the subjects of prevention does not deprive us of the possibility of distinguishing various groups according to levels, types, forms and methods, and also tasks and many other organisational features. This is why we speak of the subjects of early and direct prevention, general and individual prevention, the prevention of recidivist crimes and juvenile delinquency, etc.

Secondly, each subject is granted certain powers; it is the bearer of concrete rights and obligations. Otherwise there could be no subject of prevention. Each subject must have a legal status. This is what determines the need for a special classification of the subjects of social prevention. It is not simply a question of who is guiding prevention and who is directly carrying it out, but of what rights and obligations are granted to the subject of prevention. In accordance with the rights and obligations we can determine the relationship of the functions in regard to any part of the system of subjects of prevention and whether the rights are being properly exercised and the duties fulfilled. Functions that are imprecise or confused in content, and lack of correspondence between rights and duties are obstacles to the carrying out of preventive activity.

Specialised and non-specialised subjects

In speaking of the functional obligations of the subjects of prevention, we must say, first and foremost, that on the administrative plane preventive functions are divided into organisational, executive, supervisory, etc. But it is also perfectly admissible to distinguish between the general (or non-specialised) and special (or specialised) functions of prevention. The latter reflect the specific preventive features of the individual spheres, branches and areas of public and state activity. However, the range between general and special types of functions is fairly wide. These are also preventive functions that lie between general and special functions, the so-called general special functions. They are characteristic of the "intermediary" types of preventive activity.

Let us stress once again in connection with the foregoing that the social prevention of deviant behaviour is a matter for the whole people, for the state. In the final analysis this determines the multiplicity of subjects of social prevention and the interconnection, interdependence and general direction of their actions. From this standpoint they can be characterised as a single system of subjects of activity of society and the state. We should proceed from this both in the general assessment and in the classification of the subjects of prevention of deviant behaviour.

Non-specialised subjects. The CPSU requires that each manager, Communist, and member of the Young Communist

League (Komsomol) should not only take an active part in the accomplishment of the general task of combating anti-social acts, but himself provide an example of moral purity and the unswerving observance of Soviet laws. Moreover, the task is to raise the broad masses of the working people and all bodies and organisations to a model social order. It is important to eliminate conditions that hamper the education of the people, particularly children, adolescents, and young people. This means that all state bodies and public organisations are bound to take part in the social prevention of deviant behaviour. Each establishment, each organisation must be responsible for the behaviour of those whom it is educating. For the shortcomings in their work result in "supplying" society with people who clash with its interests. This must not be ignored or overlooked. The bodies and organisations that are specially called upon to combat anti-social acts can only eliminate the "wastage" that results from incorrect education. Consequently all state bodies and public organisations that work with people can (and should) be non-specialised subjects of the social prevention of deviant behaviour. In solving the various social and state tasks they educate people and, consequently, are obliged to prevent anti-social behaviour on their part. These bodies and organisations may be referred to conventionally as the "subjects with general jurisdiction".

The concept of non-specialised subjects of prevention is represented on the broadest plane. More concretely it can be said as follows: they are the bodies, organisations, and also individual citizens, who have not been vested with special preventive functions, but carry on this work as their public, state and Party duty. They include, for example, the family and the school, the various educational establishments, vocational schools, higher and secondary educational establishments, Party, trade union, Komsomol and Young Pioneer organisations, sports organisations, etc. This is the broadest network of subjects of the prevention of deviant behaviour. They cannot be left out, because anti-social acts and their determinants still survive in various spheres of social life, at the different levels of social relations and connections administered by the many subjects. Therefore all these subjects together with the performance of their main functions should carry out preventive measures or take part in their implementation. The need for this is

laid down in articles 4, 39, 57, 59, 61, 65, and 66 of the Constitution of the USSR.

Specialised subjects. These are the state and public legislative and law-enforcing bodies and organisations, the activity of which is aimed either professionally or through the performance of their public duties directly at combating anti-social acts, crime. They include the agencies of the Ministry of the Interior, the Procurator's Office, the courts, the justice, the voluntary people's squads for the protection of public order, public order-keeping points, prevention councils, comrades' courts, etc. This is the nucleus of the sy stem of subjects of social prevention, its most active units, which are closely linked with one another. It is they, first and foremost, that carry out prevention, because they are at the very forefront of crime control. These bodies and organisations are called upon to ensure the implementation of the various preventive measures, by directly organising them and carrying them out. The prevention of offences is their main function. Such bodies and organisations may be called conventionally "subjects with special jurisdiction".

The Party devotes special attention to the need for the further improvement of law-enforcing bodies (the Procurator's Office, the Ministry of the Interior, the justice and the courts). These bodies are called upon to protect Soviet legality, the interests of society, and the rights of Soviet citizens. They must resolutely and uncompromisingly control crime, develop and strengthen links with work collectives and the public. The CPSU expects from these bodies even more initiative, high principles and determination to combat all breaches of Soviet law and order. This is their basic task.

Subjects that perform general special preventive functions. These include bodies and organisations that, together with the performance of other state tasks, specially carry out social prevention work. Their main functions are closely linked with the functions of preventing deviant behaviour. They are public health, people's control, guardianship and trusteeship, and arbitration bodies, commissions on combating alcoholism, etc. It is the special task of public health bodies, for example, to prevent drunkenness and alcoholism, drug addiction, and venereal disease. The interconnection of these functions with the prevention of offences is obvious. This particularly concerns forensic medicine and forensic

psychiatry. This group of bodies and organisations may be called conventionally "subjects with branch jurisdiction".

The preventive function of the legislator. Special mention must be made of the legislative bodies. For the legislature wields a whole system of preventive (law-enforcement) measures that ensure the proper behaviour of members of society. It guarantees observance of the rights and duties of each person, establishment, organisation, etc. and excludes the objective possibility of the emergence of offences and harmful consequences as a result of the violation of legal norms. It is here that the preventive function of legislative bodies and legislation manifests itself.

The dynamism of the system of subjects. The system of the subjects of prevention is not something permanent and unchanging. It alters through the increase or decrease in the scope and limits of preventive activity, and through changes in its concrete aims and tasks, both current and long-term. Everything depends on the state of public order, on the various changes taking place in society. Engels said of the ethical system proposed by Feuerbach that precisely because it was "designed to suit all periods, all peoples and all conditions" it was "never and nowhere applicable".[1] The system of the subjects of prevention should be flexible, as should the system of preventive measures. The best way to improve it is by the following: improving the inner interconnections between the elements of the system; using advantages present in other similar social systems, and extending preventive action on the part of society and the state to all the areas of the genesis of deviant behaviour. The dynamism of the system of subjects of prevention is expressed in the creation of new specialised bodies and organisations. It also manifests itself in the changing or particularisation of the competence and powers of the bodies and organisations that form part of the system, inter alia, in the normative and organisational identification of preventive tasks as a component part of general (or branch) jurisdiction. An integral element in the systemic characterisation of the subjects of preventive activity is the combination of their specialisation with their inclusion in the general system of public administration.

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[1] Frederick Engels, "Ludwig Feuerbach and the End of Classical German Philosophy". In: K. Marx and F. Engels, *Selected Works* in three volumes, Vol. Three, pp. 359-360.

Here we are talking mainly of the organisational structure of the prevention system. But it is not just a matter of correct structure. The system should constantly seek to adjust its activity to new tasks that arise in the sphere of the prevention of deviant behaviour, in particular, in the sphere of crime control.

2. THE MAIN TRENDS IN THE ACTIVITY OF THE SUBJECTS OF SOCIAL PREVENTION

The system of the subjects of social prevention and Party leadership

The role of the CPSU as the leading and guiding force of Soviet society, as the nucleus of its political system, state and public organisations, is laid down in Article 6 of the Constitution of the USSR. Consequently whatever sphere of life of Soviet society is being discussed, we are bound to discover in it the guiding influence of the policy of the Communist Party of the Soviet Union. The sphere of social prevention, the control of offences, is also a matter of constant concern to the CPSU and experiences its beneficial guiding influence. The activity of the CPSU in this sphere is aimed primarily at drawing up a scientifically based policy for the control of offences and mobilising the people to carry it out. The Party organises and directs the work of the bodies that control crime, enforce law and order, and carry out social prevention. In so doing Party committees act as bodies of political guidance. The policy of the CPSU in the sphere of social prevention stems from the objective tendencies of the development of society. It is on this that the Party bases the main aims and tasks of preventive activity. These tasks and the methods of tackling them are scientifically based and ensure utilisation of the achievements and advantages of socialism as the basis for all trends in the prevention of deviant behaviour.The essence of Party leadership of the subjects of social prevention lies in determining the political line of the work of the state and society in this sphere and coordinating it with other spheres of social life. The Party's increased attention to these questions can be seen from the decisions of CPSU congresses and its measures to ensure legality and strengthen discipline and public order.

The trade unions and the Komsomol

As laid down in Article 7 of the Constitution of the USSR, trade unions, the All-Union Leninist Young Communist League (Komsomol), co-operatives and other public organisations participate, in accordance with the aims laid down in their rules, in managing state and public affairs and in deciding political, economic and social and cultural matters. The work of the trade unions, which number more than 107 million members, and the activity of the 35 million Komsomol members must help improve socialist social relations. The trade unions are to defend the rights and interests of the working people, and it is the duty of the Komsomol to involve young men and women in communist construction. The Komsomol and the trade unions attach special importance to educating workers, young people, adolescents and children, paying special attention to the prevention of deviant behaviour. Recently the Party has paid great attention to this work by the trade unions and the Komsomol. It directs them towards combatting anti-social acts, offences and crime, those antipodes to the socialist way of life.

The importance of the trade unions and the Komsomol in controlling offences is growing steadily. The Party demands that the trade unions and the Komsomol should be far more active in the work of preventing offences, analyse the causes of anti-social acts committed by young people and adolescents, take concrete measures to eliminate them, and ensure the participation of each Komsomol member in consolidating law and order. This requirement of the Party shows clearly the role of the Komsomol and the trade unions as subjects of the social prevention of anti-social behaviour.

Soviets of People's Deputies

The Soviets themselves form a single system. Each Soviet is, figuratively speaking, the supreme authority on the territory under its jurisdiction, and all Soviets are united on the principles of democratic centralism into a single mechanism of state power. Thanks to this each Soviet taken separately and their system as a whole have a close connection with the broad masses and ensure their constant and decisive participation in the democratic administration of the state.

The Soviets deal directly with the main questions of state

and public life and control all other bodies of the state. One of the constitutional duties of Soviets of People's Deputies as bodies of state power is to guarantee the interests of society and the rights of citizens and to protect public order. They and their bodies take an active part in the prevention of deviant behaviour which is a main line of their work.

It must be stressed that the prevention of anti-social behaviour is an important and integral part of the activity of the local Soviets of People's Deputies in ensuring and protecting socialist law and order. Firstly, the Soviets themselves directly carry on the work of preventing offences. Secondly, they organise and coordinate all the preventive measures by state bodies and public organisations. Thirdly, the Soviets supervise the work of the bodies for the protection of public order in this sphere. All the activity of the local Soviets and their bodies to prevent anti-social behaviour is carried on in strict accordance with the principles of legality and the requirements of the law. In this work the Soviets rely on work collectives, the public, and the broad mass of working people at their places of work and residence. The preventive activity of the Soviets is based on a comprehensive approach.

Great reserves for the further improvement of the preventive work of the Soviets and for enhancing their role in this sphere lie in the activity of their standing commissions. These are the bodies of the Soviet that promote the performance of its various functions. Consequently, they are one of the most important organisational forms of the preventive activity of the Soviet of People's Deputies. They are confronted with responsible tasks in the prevention of deviant behaviour. They are called upon to carry out a broad programme of concrete measures to ensure legality and law and order and to support the initiative of clubs, societies and other public organisations. Representatives of the bodies of the Procurator's Office, the courts, justice, people's control posts, trade union and Komsomol committees at enterprises are drawn actively into their work. Over the many years of their functioning these commissions (administrative, supervisory, juvenile affairs, combatting drunkenness and alcoholism, etc.) have worked out effective forms of the prevention of anti-social behaviour.

The many public organisations have become reliable helpers of the Soviets in social prevention. Today more than 30 million people are active in the street, apartment, block, village, and settlement committees, the voluntary people's

squads for the protection of public order, the comrades' courts and other public bodies. With their help preventive activity is carried out on a broad scale.

People's control bodies

They are set up by the Soviets of People's Deputies and combine state control with control by working people at factories, collective farms, institutions and organisations (Article 92 of the Constitution of the USSR). They have special preventive functions: to combat breaches of state discipline, parochialism, mismanagement, extravagance, red tape, bureaucracy, etc. They are required to strengthen the fight against breaches of the law on the protection of socialist property, and to strive to eliminate the causes of embezzlement, bribery, mismanagement, and various other abuses.

Agencies of the Ministry of the Interior

They play a particularly large part in the prevention of offences (crimes). Their preventive activity is a subsystem of the prevention of deviant behaviour in general. Consequently, it is considered within the system of social prevention as a whole. It is in the sphere of the prevention of anti-social (criminal) behaviour that the social functions of the agencies of the Ministry of the Interior are revealed most fully, their active part in solving general social tasks– the cleansing of socialist society from various negative phenomena. The agencies have responsible functions which are impossible to perform without a broad state approach to the questions of social life. The preventive activity of these agencies should not, therefore, be considered in isolation from the purposive activity of the state in the prevention of crime as a phenomenon. The nearer Soviet society approaches communism the more the causes and conditions conducive to the offences will disappear. Measures of public action, public opinion, will play an increasing role. These processes are indissolubly linked with the preventive activity of the state and society. The agencies of the Ministry of the Interior are obliged to contribute to this. Hence the main trends in their work. The leading trend is social prevention.

In characterising the preventive activity of the agencies,

it must be said that in many respects it determines the state of preventive work in the USSR as a whole. The agencies concentrate their efforts on detecting and eliminating the causes, conditions and circumstances of crimes, on detecting persons inclined to crime by virtue of their anti-social behaviour, on exercising a preventive influence on these persons, etc. At the same time, in detecting and investigating crimes and in correcting and re-educating convicted persons, they carry on other very extensive preventive work, implementing extremely complex and labour-consuming measures to this end on the basis of their vast professional experience. These agencies solve the tasks entrusted to them in close interaction with other state bodies, with the administration of enterprises, organisations and establishments, workers' collectives, and also voluntary people's squads for the protection of public order and other public organisations. They react quickly to any offence, possessing a ramified system of various subdivisions and services. The agencies unite the preventive efforts not only of their subdivisions and services and various state bodies and public organisations, but also of the vast mass of working people. This links them with the people, making them true advocates of their interests and concerns and giving prevention a truly nation-wide importance. This is particularly characteristic of the militia—the urban and district units of the agencies of the Ministry of the Interior.

The Communist Party of the Soviet Union attaches special importance to the preventive activity of the agencies of the Ministry of the Interior and all its services and subdivisions. Urging enhancement of the control of offences, it draws attention to the need for these agencies to constantly strengthen the patrol post service of the militia, improve the work of criminal investigation and enquiry, enhance the role of militia station inspectors in protecting law and order, and expand their connection with the population. In reinforcing all the services and subdivisions of the agencies it is important to give their work, first and foremost, a preventive direction.

The work in the sphere of social prevention is by no means confined to the preventive activity of the afore-mentioned agencies alone. The duty of these bodies is to carry out prevention and regard it as the main trend of their activity. This is undoubtedly so. But, taking into account the specific

nature of the agencies, this is precisely what "prescribes" the limits of their preventive activity and gives it a definite (special, of course) direction. This does not mean, of course, that the preventive activity of these bodies can replace the real economic, socio-political, cultural and other conditions in which man develops and acts. A broad social approach is required. It should be a matter of the preventive activity of the state and society. And here there is a special place for the agencies of the Ministry of the Interior.

The prevention service of the agencies of the Ministry of the Interior

Within the agencies of the Ministry of the Interior in the criminal investigation system a prevention service has been set up, the activity of which follows three main lines: general prevention; individual prevention and the corresponding leadership by militia station inspectors; and prevention of juvenile delinquency. The service is called upon to study the causes, conditions and circumstances of offences, to take measures to eliminate them, to inform the administration of enterprises, establishments and organisations of causes, conditions and circumstances brought to light, and to submit proposals accordingly. The tasks of this prevention service include the detection of persons leading an anti-social way of life and the exercising of preventive action on them. The employees of this service are obliged to draw into preventive work public organisations and collectives of workers, to exercise administrative supervision, and to control the behaviour of persons on the prevention register. The functions of this service are constantly increasing. Prevention services have been created at all levels of work—from the district and urban boards and departments of the Interior to the Ministry of the Interior of the USSR.

The prevention service is a specific form of activity carried out by the subdivisions that form the agencies of the Interior. There is a similarity between this service and the work of other subdivisions (services) of the agencies. It is expressed in the fact that all the types of activity of these bodies have common ultimate aims, common principles of organisation, functioning and development. Basically they have the same nature. However the character and purpose of the prevention service predetermine the forms and methods

of solving the tasks that confront it. All the qualities of this service must be taken into account, including the features which are special to it and, therefore, distinguish it from the other services of the agencies—at all levels.

The prevention service (both as a type of activity and as the sub-division that ensures this activity) performs a special social role, and therefore its functions cannot be confused with the functions of any other service of the agencies. Each sub-section of these bodies (the criminal investigation department, OBKhSS[1], the enquiry sub-sections, the GAI[2], the keeping of public order, and so on) have their own preventive functions which are directly linked with the specific nature of their activity. On the one hand, they cannot transfer these functions to anyone, because the preventive importance of their work would be lost. On the other hand, they cannot assume general preventive functions (organisational, methodological, supervisory and others). The centralised organisation of the preventive activity of the agencies is essential.

Bodies of the Procurator's Office, the courts and justice

The prevention of offences (crimes) carried out by these bodies is a most important task to be accomplished through the performance of their basic functions. We can speak of common features in the preventive activity of the Procurator's Office, the courts and justice. However, they have certain specific features too.

The Procurator's Office has a special place among the law-enforcing bodies that carry on activity to prevent breaches of the law and the rules of the socialist way of life, control offences and seek to eliminate their causes. Its special purpose, however, is to protect uniform legality from all manner of breaches. And one of the most effective guarantees of legality is procuratorial supervision. Here we must proceed from the fact that the bodies of the Procurator's Office cannot limit themselves only to controlling breaches of the law

[1] Departments of agencies of the Ministry of the Interior of the USSR to combat the embezzlement of socialist property and profiteering.—*Editor's note.*

[2] The State Automobile Inspectorate, a unit of agencies of the Ministry of the Interior of the USSR responsible for ensuring road safety.—*Editor's note.*

already committed and bringing the guilty persons to responsibility. A most important task of the Procurator's Office is to take measures well in advance to prevent breaches of the law. All branches of procuratorial supervision are supposed to carry out this task, to solve it in practice. The Constitution of the USSR charges the Procurator's Office with supreme supervision of the strict observance of laws by all ministries, departments and establishments within their jurisdiction, by officials and all citizens. This fact alone is of preventive importance. Moreover, the bodies of the Procurators' Office carry out preventive work (mainly individual) in the process of investigating criminal cases. The legal propaganda work that they do also serves the purposes of general prevention. But whatever preventive measures by the Procurator's Office, their specific functions always concern the exercise of procuratorial supervision.

The *courts* carry on the prevention of offences in close connection with their law-enforcement activity. The prevention done by these bodies is determined by the special tasks and functions of the courts as bodies that administer justice. As laid down in the Fundamentals of Legislation on the Judicial System of the USSR and the Union and Autonomous Republics the court is obliged in all its activity to educate the citizens in the spirit of strict and undeviating observance of Soviet laws, and concern for socialist property, observance of labour discipline, an honest attitude towards their state and public duty, respect for the rights, honour and dignity of citizens and for the rules of the socialist way of life. The courts carry out this work in the form of both general and individual preventive measures. However, the forms of preventive activity of the judicial bodies are various: assizes; inviting members of the public to the hearing of cases; individual work with participants in a court case; riders; control of the implementing of judgements, sentences and rulings; contributions of court workers to the press, radio and television; assignment of punishment; conditional release before the expiry of the term of punishment and release before the expiry of the term; expunging of convictions, etc. All this activity of the courts (like many other of their measures) may be characterised to a certain extent as preventive.

The *bodies of justice* effect the organisational supervision of the courts and also perform supervisory and inspectorial

functions in relation to the courts and thus have the opportunity to influence the quality of their work on the prevention of offences. The main trend in the preventive activity of these bodies is legal propaganda closely linked with the legal education of citizens. Among the bodies that form the system of justice the Bar also carries on preventive work. This concerns mainly aspects of prevention connected with individual work with defendants. The bodies of justice also give legal advice to citizens thus helping them to gain a better knowledge of the law and, therefore, better observe it.

Public organisations

The activity of the state in controlling offences coincides completely with the interests of the broad mass of the working people. Therefore the real participation of citizens in the prevention of deviant behaviour and offences has expanded and grown more active in recent years. The corresponding public organisations are acquiring increasing weight. Using their constitutional right to unite in public organisations, citizens of the USSR are forming institutions that help control and prevent offences. This enables them to perform more fully such constitutional duties as, for example, being uncompromising to anti-social acts and doing their utmost to help maintain public order (Article 65 of the Constitution of the USSR). However the participation of citizens in the prevention of offences and other forms of deviant behaviour should be seen not only as the performance by them of their duties, but also as the exercise by them of their rights to take part in the management and administration of state and public affairs. This combination of the rights and duties of citizens of the USSR helps to enhance the role of public organisations in the life of society and the growth of their activity. It is one of the trends in the development of the political system of socialism.

The public organisations contributing to the accomplishment of prevention tasks possess a considerable degree of independence. The public takes part in carrying out preventive measures both through state bodies and through their own organisations. The preventive activity of these organisations is carried on on a nation-wide scale, regionally, at individual enterprises and establishments, and in relation

to a concrete person or group of persons. Their representatives take part in the most varied preventive measures—from individual to general prevention. The ratio and combination of measures of public and state prevention is based on the general principles of controlling offences; the legality and scientific basis of state and public measures, and the individualisation of these measures. It should be noted, however, that uniting the efforts of state bodies and public organisations does not mean confusing their functions. This unity is intended to solve the common tasks of crime control.

There are many different public organisations (formations) that take part in the prevention of offences: voluntary people's squads to protect public order, comrades' courts, youth teachers and instructors, public inspectors, individual and collective patrons, etc. These institutions (organisations, formations) operate in towns and districts, micro-districts, and other population centres. In recent years such organisations as prevention councils in work collectives and public order-keeping points have been particularly developed. Their main task is the prevention of anti-social behaviour at workers' places of work and residence.

Prevention councils in work collectives

Let us note first of all that the work collective is an organised social community, within the framework of which the most important human activity—work—is carried out. We can also say that it is a group of people united by their joint participation in the management of state and public affairs within the framework of a certain work organisation on the basis of socialised means of production. The practice of the work collective is most varied. It acts not only as a subject of work and an object of management, but also as a subject of management. In this sense the activity of the work collective is of educative, preventive significance. The work collective is invested with corresponding rights and duties and thus becomes a subject of the prevention of deviant behaviour. This, however, takes place when a prevention of offences council is set up (and functions) in a work collective.

Prevention councils are set up at enterprises (factories). They consist of members of Party, trade union and YCL organisations, comrades' courts, voluntary people's squads, councils (or groups) to protect socialist property, councils to

assist the family and the school, commissions to combat drunkenness and alcoholism, deputies of local Soviets, leading workers, labour veterans, etc.

The main trend of the activity of prevention councils in work collectives is individual prevention. The councils unite their efforts with other public organisations and also state bodies engaged in the prevention of offences. Close links are established with the agencies of the Ministry of the Interior. Each prevention council is in constant touch with militia station inspectors. There is particularly close interaction with public order-keeping points. The latter supplement (continue, as it were) the preventive activity of the councils before and after working hours, mainly in the evening. Therefore production (at the place of work) and micro-territorial (at the place of residence) "prevention services" are closely linked with each other as elements of a single system of subjects of preventive activity. Precise coordination of their activity is most important for ensuring continuous preventive action on persons inclined to offences. Work collectives whose participation in combating negative phenomena is growing (there are about 100,000 prevention councils in the USSR today), are becoming the true centres of the prevention of anti-social behaviour.

Public order-keeping points are also centres of the prevetion of anti-social behaviour, althoung not in citizens' place of work (unlike the work collective prevention councils), but at their place of residence. These points are set up according to the so-called micro-territorial principle (in residential micro-districts), and also on collective and state farms (in rural localities). In recent years a broad network of public order-keeping points has been set up in the USSR, of which there are now about 25,000. They are an effective organisational form of uniting the public to prevent various anti-social acts, reinforcing educative-preventive action and enhancing social control of persons inclined to anti-social behaviour. Such points are to ensure closer interaction of militia station inspectors, headquarters of voluntary people's squads, comrades' courts and other bodies and organisations taking part in the prevention of offences.

A comprehensive approach to the prevention of the various forms of deviant behaviour means that we should constantly bear in mind the organic connection and interdependence of educative-preventive work in work collectives and in the workers'

place of residence. The significance of this activity in the place of residence is growing because the organisation of the working people's leisure (everyday life) is still a pressing problem. The increase in the proportion of free time under socialism and the emergence of a large number of family and other everyday problems is confronting the bodies and organisations engaged in prevention with a whole number of complex tasks. Therefore life itself is demanding insistently that educative-prevention work in the place of residence should be a natural continuation of the work done by prevention councils in work collectives. This is one aspect of the problem. The other is as follows: educative-preventive work in the place of residence should be carried on primarily among young people and juveniles. Careful attention must also be paid to those who are not working or studying and special measures must be applied to them. It is essential that educative-preventive work in relation to such persons should be the concern not only of jurists and teachers, but also of psychologists, doctors and other specialists. It must not be forgotten that persons who do not work or study are more often than not those who commit offences.

Public order-keeping points carry on mainly individual preventive work, although they also carry out general preventive measures (lectures and talks, reports, meetings of local residents in the micro-district to discuss the present situation, the behaviour of individual offenders, etc.). For the purposes of individual prevention concrete persons leading an anti-social way of life are detected, individual talks held with them and contact made with their place of work or study for joint action on them, etc. The main thing is work with each person and activity to eliminate the conditions that are conducive to his anti-social behaviour.

The work of the public order-keeping point is supervised by a public council acting under the leadership of the Party organisations of the micro-district's enterprises or collective farms (state farms).

Tutorship and patronage. These forms are an effective means of individual preventive action, particularly on young people and adolescents. They are becoming increasingly widespread. What is their purpose? The general answer is as follows: people whose behaviour runs counter to the requirements of society are given tutors or patrons who influence them and are responsible for this work. Tutorship and patronage are forms which combine methods of moral and labour education, and methods of teaching professional mastery. Tutorship is used particularly widely in the individual prevention of anti-social behaviour.

The activity of young people's tutors has a beneficial effect on preventive work. By passing on their experience to young people, they teach them to respect the rules of the socialist way of life, the laws of the Soviet state. Tutors are people with great experience of life, leading workers, Communists. The forms of tutorship, which are connected in particular with individual prevention, are not fixed once and for all. Life itself is constantly making it necessary to introduce something new and more effective into this useful movement. For example, in relation to persons whose behaviour attracts attention tutors make use of talks to explain the harmfulness of anti-social behaviour, control these persons at work and in everyday life, and involve them in interesting, entertaining, and educationally useful activities. Experience shows that tutorship is of great use in the individual prevention of anti-social behaviour.

Tutorship is one of the forms by which individual citizens take part in the prevention of deviant behaviour. This form of work with people is used particularly widely by prevention councils in work collectives. In studying the effectiveness of the work of tutors, councils strive to ensure that young people requiring special attention should be attached to the most experienced workers who enjoy prestige in their collectives.

The activity of the subjects of prevention as influencing objects of prevention

In the performance of their functions the subjects of prevention influence the behaviour of the objects of preventive action and thus correct deviations from established requirements, i.e., control and rectify this behaviour. A close connection arises between them and the objects of prevention, i.e., certain relations develop between the subjects and the objects. In other words, the stage of direct "subject-object" contact marks the beginning of a series of problems relating to the functioning of the prevention system as a whole. Here we must start from the fact that the system of prevention subjects is not an abstract schema. It exists and operates in real life, but is felt, first and foremost, by the object (systems of objects) of its action. This is the interaction, interrelation, of the subject of prevention (system of subjects) and the object of prevention (system

of objects) the mechanism of which can be represented in the most general form as the process of preventive action. This concept must, however, be elucidated.

The concept and peculiarities of preventive action. Between the subjects and objects of prevention there always exist contradictions which are determined by the nature of their relations, i.e., by their different types of "behaviour"— some act, and others experience this action. Consequently, prevention itself is defined as the action of the subject on the object. This is a way of regulating the "social organism", the preventive influence on the sources, causes, conditions and circumstances of crime, the factors which form the personality of the offender and, finally, on the individual himself and his behaviour. In this "social organism" we must single out the individual and behaviour. However, let us say at once that the different lines of preventive work, on the one hand, on causes, factors, conditions, etc., and on the other, on the individual, complement each other and to a considerable extent overlap. Therefore in such cases we usually speak of preventive action on the individual. It is the personality of the offender (criminal) that is the main object of preventive action.

This object is mainly marked by anti-social behaviour; preventive action on such behaviour is therefore carried out by using principles and norms, imperative (unconditional) demands, assessments, ideals, etc. The action is guiding, mobilising, and socially integrating. Whether a person accepts this action or not depends on his personal qualities and many other factors. However, in any case preventive action must be comprehensive. It is essential to take into consideration here not only the personality of the offender (as a specified object), but also its surroundings (micro-environment). This makes it possible to treat the concept of the object of action more broadly.

Preventive action is a special form of social regulation. In general this action is the prime and invariable feature of the corresponding administration or control. Thus, we can talk of controlling (administrative) preventive action. Of course, not all conscious action (organisation and regulation) is scientific administration. Only action (conscious, expedient, intensive and purposive) which is carried out on the basis of authentic information about the object and the conditions of its functioning corresponds to the real

possibilities of the activity of the subject. Thus, bearing all this in mind, one can see preventive action as a particular case of administrative (or controlling) action. Although it has specific features, it is subject to the general principles of scientific administration.

3. THE OBJECTS OF SOCIAL PREVENTION AND THEIR GENERAL CHARACTERISTICS

The object of preventive protection

The comprehensive approach to the solution of the problems of social prevention implies not only preventive action on the objects, but also preventive protection of the interests of society from anti-social encroachments. The requirements of this approach are not met, in particular, when preventive action is restricted to explaining and eliminating the causes, conditions and circumstances of breaches of social norms (including offences), detecting persons leading an anti-social way of life, and carrying out preventive work on them. It must be remembered that the whole system of prevention is aimed in the final analysis at protecting the object of preventive protection. This object is public order. It is the focus, as it were, in which the public interests that are being protected against anti-social encroachments are reflected. Of course, it is not always possible to divide this aggregate (general) object of protection into its elements. But such a possibility does exist.

The objects of preventive action are closely connected with the objects of preventive protection. Essentially the choice of the former is a way of ensuring the latter. As a rule, objects of preventive action are those towards which the direct intermediate aims of prevention are directed, while the objects of protection determine the more remote and, in a way, ultimate aims. Of course, the objects of preventive action (unlike the objects of protection) are usually defined more clearly and directly in the process of activity. They are palpable and therefore of great practical significance. Consequently, the task is to strive, by everyday action on the objects of prevention, to ensure public order as an object of preventive protection. The main point here is that prevention has its own aim of protecting institutions which serve to guarantee public order and a quiet life for members

of society. This is fully in keeping with the social views of the public. The latter believes that prevention exists to protect society and all its members.

Under socialism, a person's life, his rights, health, socialist or personal property, relations connected with the enjoyment of material benefits, etc., may be an object of preventive protection. In a certain sense prevention protects all socialist gains from anti-social encroachments. It is in this connection that we speak of the protective function (defence function) of prevention. By ensuring public order, we protect it from all manner of encroachments. Therefore the question of the protection of public order should be seen in a broad context, together with all the preventive measures that ensure the necessary conditions for social development. The protection of social interests against anti-social encroachments presupposes the carrying out of a broad range of economic, socio-political, ideological, moral and legal measures. Only a broad programme of preventive measures to ensure public order promotes the successful performance of the function of protection. This function is closely intertwined with all the other functions of the state and society, the carrying out of which ensures public order, in particular, law and order. Here the function of controlling offences, crime must be discussed in further detail.

> The protection of public order must not be seen as the sum (or even a set) of preventive measures aimed at the deterrence of offences alone. The protection of public order means far more than this. An invariable feature of each society is its normative order (where law and order is an essential, central part of this broader definition), and the violations of the normative order appear in different forms of behaviour that deviates from the demands of legal and social norms in general. Consequently, public order should be seen as a broad social category the content of which is determined by the system of social relations that develop in the different spheres of life under the regulating action of social norms. These norms may be divided into two main types; non-legal and legal. Depending on the type of regulating norms, these relations are either legal or non-legal. Thus, law and order (the system of social relations that develops as a result of observing legal norms) is an integral part of public order. In this sense prevention of offences ensures law and order, and prevention of violations of all social norms (general social prevention) ensures public order.

Public order, seen as the object of preventive protection, cannot, however, by virtue of this possess any special characteristics. It is assessed primarily as an historically con-

crete social category. In the USSR, public order reflects the state of a definite sum total of social relations, their socialist content that is in keeping with the aims and tasks of the present stage of communist construction. It also integrates certain social relations based on simple rules of behaviour that have grown up over the decades, and sometimes over the centuries. At the basis of these rules lie the social norms of morality in which society is interested and without which social life is unthinkable. These rules reinforce the elementary conditions of human life. However, seen from the angle of preventive protection, public order can also be assessed in a different way. This happens when the unfavourable influence of violations of public order becomes perceptible, when concern arises as to the state of affairs in this sphere and alarm concerning the ensuring of normal conditions of human community living both in the present and in the future, so we usually speak of the "complex" state of public order. The preventive function of protection acquires a special meaning. It must be carried out from the standpoint not so much of the present, as of the future. Here the tasks of the present and the future overlap.

The protection of public order by its defence and security is not a short-term campaign, but a constant organic element of social development, a condition of its present and future well-being. In the political respect this reflects society's responsibility to all its members, and the state's responsibility to the people for ensuring the well-being of the people's social life not only today but also tomorrow. Hence the need to direct the practical improvement of the system of prevention of the various anti-social acts. Here the problem arises of improving the regulation of all types of human behaviour connected with the state of public order. General social prevention should be given a special place in this.

Objects of preventive action

Marx wrote: "To act with any success, the materials to be acted upon must be known."[1] What "material" is the object of preventive action? Prevention is aimed at the most varied

[1] Karl Marx, "Instructions for the Delegates of the Provisional General Council. The Different Questions". In: *The General Council of the First International. 1864-1866*, Progress Publishers, Moscow, 1974, p. 341.

objects, each of which has its own features. It is on the special features of the object that the correct choice of means and forms of action on it depends. Therefore we must deal not only with a general object, but also with concrete objects of action.

The general object. First and foremost, we must proceed from the existence of such an object of preventive action—a general object. It is an extremely complex phenomenon, the elements of which are individual personalities, groups of people, their social surroundings (including the micro-environment), and also such factors as causes, conditions, circumstances, etc.). An enterprise, district, town, or a region in general, may be regarded as objects of preventive action. In other words, a large set of heterogeneous objects can be singled out in this general object of prevention. Hence the diverse preventive activity which includes the performance of different functions. The point of departure of preventive action is nevertheless its general object. It enables us to speak "collectively" about the principles of this action.

The concretisation of objects. Prevention is aimed primarily against criminogenic factors, causes, conditions and circumstances of offences (and thus against crimes, their different types, groups and categories), against persons who lead an anti-social way of life, their surroundings, external environment, and also the circumstances a change in which could affect people's behaviour. As a result of preventive action everything should aim basically at, on the one hand, preventing the emergence of anti-social behaviour and, on the other, stopping it, nipping it in the bud, if it has already begun to manifest itself. It goes without saying that people are always the main object of preventive action. For people are the bearers of social relations. And factors, causes, conditions, circumstances, and the external environment all exist in one way or another thanks to people. Therefore we can say that the main "character" in the system of objects of prevention is man. It is for his sake that prevention is carried out. Of course, there is a fundamental difference in preventive action on people, on the one hand, and on factors, causes, conditions, circumstances, etc., on the other. But this is precisely what enables us to speak of the "coordination" of these two groups of objects in the carrying out of comprehensive preventive action.

Offences and offenders as the objects of action

People become the objects of preventive action in different "roles" or capacities: adults and juveniles, men and women, recidivists and persons convicted for the first time, drunkards, parasites, vagrants, persons with psychic abnormalities, not excluding responsibility, etc. Consequently, they do not present themselves as a single and simple object. Moreover in some cases the object of preventive action is man as such, and in others, his behaviour, the acts and actions committed by him. Here it is a question of offences (crimes) as objects of action: premeditated and unpremeditated (or accidental) crimes, grave and less grave, violent, against property, etc., although in this case also preventive action is aimed, in the final analysis, at people. Finally, groups of people can be objects of action. In short, prevention deals not with any one homogeneous object (even when it is a question only of people), but with a multitude of objects. But in either case, we stress once again, it is man (people) in different "personifications" that is the object of preventive action. Prevention takes the difference in these objects into account. For this purpose there is a definite typology and classification.

The object of general prevention. As already mentioned, the individual is the product of society, the social environment in which he lives and develops. However, to accept this law only and to take its requirements into consideration is a necessary, but an insufficient premise for the success of general prevention. If we could limit ourselves to a concrete individual, all the problems of general educational work could be solved in the same way: by working with an individual person and orientating ourselves only towards him. Such an approach would, of course, be incorrect. Prevention is naturally directed towards the concrete person. But an essential feature of prevention is also that it is aimed at the broad masses of the working people, the population of the whole country. The purpose of general prevention is that it is aimed equally at all members of society. But this does not mean that general prevention is directed towards a kind of "average version" of the population. It envisages, as it were, the existence among members of society of people who need it. Being of a general nature, this prevention

nevertheless acts selectively on the population. It takes into account the different categories of working people and therefore cannot, so to say, inform the informed and preach to the converted. Thus it is aimed at persons who cannot remain outside the sphere of general prevention. These persons are the concrete object of its action.

Meaning by the object of general prevention as a whole an "average version" of the population, some criminologists sometimes place the emphasis on the unity of the people's consciousness under socialism. It must not be forgotten, however, that this unity does not mean a complete similarity of views on life of all the members of society and a lack of any inner gradations in the level of consciousness of the population. Nor does it exclude the existence of non-conscious (or insufficiently conscious) people, the existence of vestiges of the past in the consciousness and behaviour of the people. The unity of the consciousness of the people means that the socio-class conditions for the existence of social ideas opposed to the socialist consciousness gradually disappear in socialist society. There are no classes or other large social groups (strata) that can serve as vehicles for such ideas. It is recognition of this unity (and not of the "average version") that predetermines differences in the levels and degree of assimilation of the socialist (unified for all) consciousness by the people. Hence also the organisational conclusions on ways of further moulding the consciousness of the different categories of the population under mature socialism. General prevention also plays a certain role here. In forming mainly moral and legal consciousness, it aims at reinforcing the ideas of socialist consciousness as a whole, which have for the most part already taken hold of the masses, but have not yet become a motive of the behaviour of each person. Here it is easy to see the whole population, and not its "average version", as the object of general prevention. Prevention cannot be carried out for everyone and at the same time no one. It is carried out for everyone, but with due account of concrete categories of the population.

In its content, aim and manifestation prevention at the general social level is the same in relation to all members of society. We are referring to preventive action in the broad sense, when it is exerted by society as a whole and its general social institutions on the whole population. This includes prevention on the scale not only of the whole country, but also the republics, territories, regions and large towns and districts. In the narrow sense, however, this action is exerted on the so-called local level—in micro-districts and at enterprises and establishments, i.e., in the individual's immediate social surroundings, the environment with which he directly interacts. General prevention on this level has a more concrete object and concerns more closely the interest

of this or that category of the population. It is more purposive, intensive, and, consequently, more effective. However, these two concepts (in the broad and narrow sense) are closely interconnected. Therefore any trend of general prevention should be considered from the standpoint of unity. This stems from the aims and tasks of general preventive action.

General prevention, addressed to all members of society, loses its meaning if its measures do not reach the whole (or the majority) of the population. It not only orientates those who are in need of it towards correct behaviour, but also encourages people to have a beneficial influence on the violators of norms established by society. General prevention thus introduces "elements of order" into reality. On the whole this prevention always acts on behalf of the state and society. It makes use only of methods of persuasion. It exerts its influence by persuading.

The social environment as an object of action. General prevention measures are carried out, in the final analysis, in relation to individual persons. But this takes place, as a rule, not directly "from society to the individual", but via the social environment in which the individual lives. For individuals and groups act in a concrete social environment. The sphere of action of small groups and the individuals in them is the micro-environment, the immediate social surroundings. It is this environment that we must consider the object of preventive action. The special nature of this object lies precisely in the fact that it includes a person's concrete social surroundings rather than separate individuals or the population as a whole. This does not mean, of course, that we ignore the individual and small groups. In the end everything boils down to people. But as a point of departure for carrying out prevention we take the environment as the object of concrete preventive action rather than the individual or the group.

The object of individual prevention

Preventive action is individualised at the level of the concrete individual. This is why it is called individual prevention. However, as already mentioned, the individual is not an absolutely, but a relatively autonomous social unit. Consequently, the independence of individual pre-

ventive action is also relative. In this connection it can be said that the object of individual prevention is behaviour which either directly violates the norms of criminal law, or violates the norms of morality, the rules of the socialist way of life and shows a real tendency to develop into criminal behaviour proper. The object of individual prevention is deviant behaviour in the broad sense of the word. The direct object of individual prevention is concrete persons and their immediate social environment (micro-environment). When it is a question of concrete persons as objects of prevention we have in mind individuals whose behaviour and way of life bear witness to the real possibility of their committing socially dangerous acts. But when it is a question of preventive action on a concrete social environment, we mean the negative elements of a material and spiritual order which distort the individual. Of course, strictly speaking we should not divorce the individual from his environment. But the point of departure for individual prevention is nevertheless the individual. It is man, who, as it were, "contains" all his surroundings, that is the main (and perhaps in this sense the only) "point" of individual preventive action.

Thus, the objects of individual prevention are concrete persons. They are most often characterised by an anti-social tendency which is manifest in their behaviour. Direct individual preventive action is preceded by the work of detecting such persons. These are characteristic features of the individual approach.

4. THE GENERAL ANALYSIS OF CRIMES AS OBJECTS OF SOCIAL PREVENTION

The classification of objects of prevention

An analysis of the objects of prevention on the "mass" level reveals their general characteristics (the object is assessed in its average variant), but the peculiarities of each object are not sufficiently elucidated. Therefore to make preventive work more effective it is necessary to group (classify) objects, i.e., to arrange them in more or less homogeneous groups. Here it must be borne in mind that homogeneity of groups leads to a similarity in the objects of preventive action, whereas heterogeneity leads to differences

in them. This should be taken into account when one is dealing with different forms and types of prevention, the specific measures and methods applied, etc. Nor should it be overlooked in the classification of offences (crimes), which makes it possible to differentiate approaches to the carrying out of prevention. In this case it is first and foremost the objects of action that are classified.

Homogeneous crimes (offences) may be concretised objects of preventive action. Experience shows that it is useful to classify such objects as crimes by adults and juveniles, men and women, primary and recidivist crimes, and so-called group crimes. This is the general approach, however. In detailising it crimes are usually grouped as follows: crimes against property (all types of theft and profiteering), violent crimes against persons (all types of murder, rape and grievous bodily injury); violent crimes against property (robberies and banditry); hooliganism; crimes by negligence; and other types and groups of crimes. One can also classify them according to the territorial principle: rural crime, urban, etc. There may, of course, be other classification groups which depend on concrete aims and tasks of prevention. For example, one frequently finds that crimes committed in the sphere of family and other everyday relations are grouped separately. But in any event the classification must ensure a differentiated approach to the carrying out of preventive work.

Recidivist crimes

By virtue of the very nature of this category of crimes the subjective conditions (mainly the personality of the recidivist) come to the fore. Here we are dealing with criminals who have strikingly negative personality features. The problem of recidivist crime is primarily the problem of the personality of a special category of criminals. All things being equal, recidivist crimes represent a heightened social danger. Therefore in preventing these crimes features must be sought that distinguish recidivists from first offenders. Such features include: the persistent anti-social (criminal) disposition of recidivists; systematic committing of crimes (primarily violent crimes against property and persons); a striving to form particularly stable forms of complicity; a tendency to involve new persons, particularly

minors, in criminal activity, etc. These features should determine, first and foremost, the trend of prevention for the repeated commission of crimes. An important role here should be played by individual prevention.

A recidivist crime is the commission by a person of a new crime, a crime which follows conviction for an earlier one. A recidivist is a person who has committed a repeated crime. Recidivist crimes are divided as follows: general recidivist (the commission of a second crime unlike the first, for example, a murder is committed after a conviction for hooliganism); special recidivist (the commission of new homogeneous crime—a new theft is committed after a conviction for theft); single recidivist (the crime committed again is the second one); multiple recidivist (the committing of three and more crimes). Especially dangerous recidivists (persons who have been recognised as such by a court, and not recidivists in general) form a special group. There are also other groups: recidivist minor crimes, recidivist grave crimes, etc. But all this is mainly a ciminal law assessment of recidivist crime. Criminologists sometimes (for convenience of studying the personality of the criminal) regard as recidivist crimes those which have been preceded by other crimes although the person was not punished for committing them (because the crimes were not detected, the criminal was not arrested, etc.). Criminologists take this recidivist crime into account for the carrying out of prevention work in relation to this category of persons.

The existence of recidivist crime is conditioned by definite causes and conditions. These are, firstly, the causes and conditions characteristic of crime in general; secondly, causes, conditions and circumstances that influence the repeated commission of a crime. There are no special, specific causes of recidivist crime. But this is not the case with a number of conditions that are conducive to the repeated commission of crimes. A system of anti-social views is formed in recidivists under the influence of two groups of conditions: subjective and objective. The conditions of the first group relate to the characteristics of the personality of the recidivist, and those of the second embrace a broad range of different circumstances of an organisational, educative, legal nature, etc. The conditions of the first group are the main ones. In the event of repeated commission we are perfectly justified in saying that there is a stronger, essential link between the crime and the personality of the criminal. From this it follows that the recidivist criminal not only commits a crime under the influence of objective conditions, but that the anti-social disposition of his personality creates the objective prerequisites for the com-

mitting of crimes. Consequently, in relation to a recidivist a profound analysis of his personality and his whole life is of prime importance, insofar as subjective conditions predominate in this category of criminals. These factors must be taken into consideration in preventive action on a recidivist.

> Criminalists are often interested in the results of applying preventive measures to recidivists, and in the influence of prevention in general on the further state of recidivist crime. Of course, the results of these measures (as of the prevention itself) which are used in controlling recidivist crime can be basically determined by the level of recidivist crime. The fact of repeated commission shows that evidently the measures taken are not having the desired effect. However, in itself repeated commission does not give us grounds for concluding this. We can ask another, at first glance paradoxical, question: is it good or bad when recidivist crimes occupy a very significant place in the structure of crime? There can be no simple answer to this, of course. But given that the state of crime is stable, and particularly when its level is dropping, an increase in recidivist crimes would mean that fewer and fewer new people are being drawn into criminal activity. And the problem of controlling crime would gradually be reduced to the prevention of recidivist crime.

The prevention of recidivist crimes forms part of the general preventive measures. Naturally it has its own characteristic features. These are connected mainly (apart from consideration of the recidivist's personal qualities) with the questions of reinforcing the results of the correction and re-education of convicted persons, social adaptation, continuity and inner action between the bodies carrying out punishment and prevention, job placing, and creation of a healthy micro-environment. Administrative supervision is of special importance for the prevention of recidivist crime.

Juvenile delinquency

The prevention of juvenile delinquency is based on the same principles as the prevention of offences in general. However, as in all cases when it is a question of separate types of crime, and categories and groups of crimes, account is taken of the specific nature of the juvenile offences and consequently of the features of the personality of the criminal. An important role is played here by an analysis of the moral and psychological characteristics of such persons, their general educational, cultural and ethical level, etc. In this type of prevention it is essential to discover and

study the causes of juvenile delinquency: negative influence in the family; unfavourable everyday surroundings (micro-environment), connections and contacts; evasion of socially useful work or study; lack of parental supervision; instigation on the part of adults leading an anti-social way of life and abusing alcohol; defects in schooling; defects in the organisation of cultural leisure; a weakening in social control both at home and at work or study, etc. In order to eliminate these and many other causes an integral system of prevention of juvenile deviant behaviour is needed. Early prevention should play a special role.

In analysing the problem of prevention of juvenile offences a separate study is usually made of juveniles in the 10 to 14 (16) age group and young people from 18 to 25. Juveniles (from 14 or 16 to 17 inclusively) and groups of young people have a great deal in common from the socio-psychological point of view. Nevertheless for the purpose of differentiating preventive measures we cannot confine ourselves to age characteristics alone. Each of these groups usually includes: pupils of secondary schools and vocational schools, students, and workers and other employees. Special attention is paid to those who are neither working nor studying and are leading an anti-social way of life. In the majority of cases these persons, particularly adolescents and juveniles, commit offences in small groups, and this circumstance should be taken into account in preventive work. The main measures of preventive action on juveniles should be methods of persuasion.

Group crimes

In defining this object of preventive action the question usually arises as to what constitutes a group: two persons, three, four, etc. Criminal law has solved this problem simply: a crime which is committed by two or more persons is a group crime. Naturally criminology cannot ignore this solution of the question, but at the same time it cannot help orientating itself towards sociology and social psychology. The latter two make broad use of the terms "group" and "social group". They are closely connected with such sociological concepts as "class" and "stratum", but not identical to them, and have their own special features. For criminology the socio-psychological concepts of the group are the closest. However, here too certain questions arise

of a qualitative rather than a quantitative nature. They must not be overlooked, or the specific nature of the criminological concept of the group will be lost and, consequently, its assessment from the viewpoint of the prevention of group offences. In this case prevention should be aimed at the object of its action, the group in the criminological sense of the word. Therefore we must first analyse this concept.

People's objective need for cooperation, and also the need for communication, leads logically to the formation of special human associations, social groups. The whole life of mankind can be seen as the life of groups with their internal connections, relations, subordination, expectations and the social roles prescribed for each of their members. From the viewpoint of social psychology there are the following groups: real (based on the objective process of activity exchange), small (usually made up of a few dozen people), large (so large that its members may not have any direct contact with one another and may not even know one another), temporary, permanent, organisationally formed (or "formal") and organisationally unformed (or "informal"). There are also such types of groups as primary and secondary.

Criminology is interested, first and foremost, in primary social groups (a special variety of small groups). From the point of view of quantity they consist of two to ten persons. From the point of view of quality the connection here rests not only on personal contacts, but also on the emotional involvement of the group's members in its affairs. Usually these are groups of children or adolescents of the same age. Sometimes such groups are characteristic of adults also, when all the group members have the same aim (for the attainment of which the group has been formed). These groups, assessed from the criminological viewpoint, are informal and, as a rule, short-lived. They are of interest from the viewpoint of the preventive action on them.

We can speak of the criminological concept of the small group. It has a number of features: the group may act as the subject of certain behaviour (we are referring to the anti-social, criminal behaviour of the group); here individual actions assume a group nature (in such cases we usually say that what is impossible for a single person becomes possible for two or more persons); this group is not a simple sum of individuals, but their actions are the actions of group (the solidarity and emotional involvement of each individual in the affairs of the group). Concerted action is characteristic of such a group. No group action may be called a group one if the acts of the members of the group are not concerted, based on a unity of aims and community of interests. It is the behaviour of individuals, i.e., the behaviour of the group as a whole. In the prevention of group

crimes we should proceed, first and foremost, from this behaviour of the group. The point at issue should be the prevention of criminal group behaviour.

> Let us give another explanation. Take, say, the number of crimes (for example, flat burglaries) committed by young people over a certain period in a certain area. Is this an object for the analysis of crimes committed by a certain group of persons? No, because these juveniles are a group only in the statistical sense. They do (did) not associate with one another, are not an entity, but arrived at the same act as a result of more or less the same reasons, conditions and circumstances. Here the question does not even arise directly as to whether these juveniles necessarily associated with one another and what effect their association had on their behaviour. We are faced simply with parallel unitary series, although there is a "general result". In the same way, a general result, the concerted joint action of many individuals, does not necessarily create a group and group behaviour. For example, a crowd of people disturbs public order. Here we have the sum of the actions of individual persons in a single happening which is designated as the realisation of a single concept. This "unified result" should not be identified with "unified group behaviour". Finally a third example. People who are not connected with one another directly, but acknowledge their membership of a "caste" or a definite, "special" category of persons. They all have the same "mood". This is conveyed from one to the other of them by word of mouth, by correspondence, personal acquaintance, etc. Frequently such people find one another quickly and sometimes support one another. This is usually characteristic of persons who engage in profiteering, drug addiction, drunkenness, prostitution, etc. Can they be called a group? No, of course not. Even such a phenomenon as personal acquaintanceship (a kind of "small abstract group") of directly interacting people cannot be called a group in the sense in which we are considering it.

To our mind all these questions must be studied and borne in mind in defining the criminological concept of the group and in carrying out prevention. It is particularly important to remember that in acting on a group as a whole it is best to exert a personal influence on each of its members. Nor should it be forgotten that the group has organisers, executors, passive and active members and, finally, a leader. There is even the "active core" of the group. Whereas for one person being in a group with an anti-social tendency may be a random occurrence, for another this group is decisive in the formation of his criminal behaviour. In the prevention of group crimes we must also take into account that the group ensures the coordination of the actions of its members, and this leads to an appearance of group sol-

idarity. The group has its own models of behaviour, the following of which by group members leads to approval, and the violation to censure. The destruction of these models is one of the main tasks of prevention. But it is the detection of groups with an anti-social disposition that is of greatest importance for the prevention of group crimes. This should be carried out both at the place of work (or study) and at the place of residence. Group crimes are more often than not typical of juveniles.

Crimes committed by women

Consideration of the special features of these crimes (female crime) and the persons who commit them is of great importance for prevention. Here, naturally, there can be no "equality" between men and women, although their ratio in the general structure of the population is about equal. We must take into account not only the actual crimes and the persons who commit them (female criminals) but also the psychology of women in general. This is taken into account in all spheres of social life, including the prevention of criminal (and anti-social in general) behaviour.

Crimes are always divided into male and female (particularly in age groups) in unchanging proportions. The criminal activity of men as a whole is six times that of women. Sometimes this is explained by the fact that the behaviour of women is conditioned by a structure of behaviour that has developed historically and exists in our society, by the nature of their social roles and the functions that society places upon women.

For prevention it is necessary to know also that the proportion of female crime in the structure of crime as a whole varies sharply in the USSR, depending on the nature of the crime: of those convicted for violent crimes and for crimes against public order women account for 7 per cent on average, and for malfeasance in office 40 per cent. Women commit a lower percentage of crimes than men: 2 per cent of banditry with intent to seize personal property; 2.7 per cent of robbery of personal property; 3.3 per cent of premeditated grievous bodily injury, 9 per cent of premeditated murder, and 20 per cent of theft of personal property. At the same time women account for 25 per cent of those convicted for theft of socialist property, about 60 per cent of

those convicted for profiteering, and about 70 per cent of those convicted for fraud of purchasers. The committing of certain crimes (for example, fraud of purchasers) by women is largely due to the fact that it is usually women, not men, who work in the sphere (as shop assistants, for example) where such crimes can be committed. To a certain extent this is true of profiteering as well. Here special consideration should be given to the involvement of women by men in the committing of such a type of crime. Murder, theft and robbery, hooliganism, grievous bodily injury, etc. are a different matter. Although the proportion of these crimes committed by women is insignificant, they attract special attention. Consequently, such crimes committed by women should be a special object of preventive action.

In carrying out prevention in relation to women it must be borne in mind that they commit crimes more often than not as a result of immoral behaviour, drunkenness and prostitution, jealousy, revenge, etc. They frequently commit various offences, including crimes, in connection with family and other everyday problems, unsettled private life, and family squabbles. Here prevention at the place of residence is particularly important. It should be remembered that women, more than men, harbour criminals, stolen goods, etc., in their homes. The anti-social behaviour of women has a most pernicious effect on juveniles.

Crimes committed in the sphere of everyday relations

In discussing such crimes the terms "everyday crimes", "crimes on everyday grounds", "for everyday motives", etc., are usually used. But the problem is connected not only with the conflicts in family and everyday life which lead to offences. It is linked rather with people's typical forms of everyday activity, i.e., with the sphere of human life in which most relations are formed. Like the sphere of personal consumption, everyday life is one of the forms of man's activity for satisfying his material and spiritual needs, and also developing his physical and spiritual powers. Everyday life, in the broad sense of the term, means questions of education and culture, leisure time, the family, material security, etc. In the narrow sense, however, everyday life can be defined only as a person's private life in

his immediate (private, everyday) surroundings. However, this interpretation of everyday life (which seems to be self-evident) is not quite correct. It does not reveal the numerous human connections which determine not only the personal, but also the social. Here, apart from one person's adjustment to another person, to his private life, to a special type of micro-environment, we must also see people's adjustment to the larger circle of people around them, to social life, to society as a whole. What we have in mind is a conception of the social relations in everyday life in their entirety. From this point of view we cannot agree that crimes committed in the sphere of everyday relations consist only of those that are connected with a person's private life. Strictly speaking, the most varied acts constitute these crimes. For convenience of the practical solution of the problem, we can speak of "everyday crimes" as acts connected with a person's private life. Production crimes, for example, can be categorised according to the same principle.

Statistics show that in the sphere of everyday relations, even if one interprets this in the narrow sense, a very large number of offences, particularly breaches of public order, are committed. Evidently mention should be made here, first and foremost, of public order. In this sphere numerous human interconnections arise that determine such important aspects of public order as individual peace of mind, respect for social morality, honour and dignity. Hence the need to pay more attention to the prevention of offences in the sphere of everyday life in order to strengthen public order. Bearing in mind that human behaviour in everyday life, compared with other spheres of social life, is less regulated by legal norms, the emphasis should be placed on moral prevention, so we must rely not only on public order-keeping points, but also on work collective prevention councils.

Crimes by negligence

In carrying out prevention work it is necessary to elucidate whether a crime committed by a person was an accident or, on the contrary, the result of deeply rooted anti-social views and attitudes. The question therefore arises: on whom should preventive action be exerted and what sort of action should it be? On the one hand, we are faced with a person whose criminal act was only an episode in his biography

and stands out sharply against his other acts. On the other hand, we are dealing with people whose behaviour expresses their anti-social essence. Here it must be borne in mind that the concept "casual" criminal is defined not by selecting specific characteristics of this type of offender, but by distinguishing it from types of inveterate criminals and describing the specific nature of the mechanism of interaction of the individual and the situation in the committing of a "casual" crime. However, it is important to distinguish between the different types of accidents that lead to different types of crimes. In other words, the assessment of crimes by negligence which are the object of prevention must have its own "internal" classification.

Who has not said or done something silly? It is a different matter when these things are said or done deliberately. Accidents vary in nature. An accident may be defined as the unconsidered or unforeseen onset of an event (a pure, totally unexplained accident). At the same time we can see objectively, logically conditioned accidents. In the first case, people commit a crime casually (by negligence), contrary to the general positive line of their behaviour. In the second case, a crime is committed as a result of frivolous, confused behaviour. You can expect something silly from such people at any time. The "casual" crime committed by them is explicable. The task is to avert crimes by negligence (casual crimes) by means of prevention.

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Any object of preventive action has its own features. At the same time all objects are interwoven with one another. For example, in discussing objects of general and individual prevention we can speak not only of their unity, but also of a connection with early prevention, victimological prevention and even self-prevention. We cannot talk of the prevention of, say, recidivist crime without touching upon questions of juvenile delinquency and this, in turn, obliges us to study problems of female crime and group crimes. Nor can we overlook an analysis of the different types, categories and groups of crimes here. It is a single chain of problems. The interconnections of the objects can be traced at all levels of preventive action. Thus, we are dealing with a system of such objects. And this system is correlated to the system of subjects of preventive action.

CHAPTER X

THE MAIN FORMS AND CONTENT OF SOCIAL PREVENTION

1. LEVELS, FORMS AND TYPES OF SOCIAL PREVENTION

The concept and characterisation of the levels of prevention

In examining the system of prevention, which has a specific structure, we inevitably come up against its different levels. The concept of the level of prevention is used to express qualitatively different types of activity. A clear definition of such concepts as level, system and whole, and also a strict differentiation between the concepts of the level of considering a prevention system and the level of its organisation (structural level) are very important in criminology. This is why we divide the system into "elements"—levels. It enables us to obtain "tiers" of prevention of antisocial behaviour that differ in complexity and organisation.

In relation to the problem under review the afore-mentioned means that the social prevention of offences lies on different levels, different "stages" of administrative importance. This vertical differentiation is accompanied by integration, which consists in the emergence and consolidation of interconnections between the different levels of prevention. In other words, all the levels are represented in integral preventive activity. The multi-levelled organisation of social prevention of offences is hierarchised in relation to its implementation as a whole. A means of differentiating the levels is classification of measures of prevention, its types and forms in relation to the corresponding type of activity: the level of society (the high level), the level of social groups and collectives (the middle level) and the individual level (the low level). A break in the unity, the integral "role

ensemble" of these levels leads to the collapse of the prevention system as a whole. The effectiveness of preventive activity at all these levels is closely connected with the extent to which each of them is included in the general system of social prevention of anti-social behaviour.

Prevention theory has a rule according to which three levels are studied. They are characterised as follows. The *first level* is the solution of major social, economic and other problems of the life of society, the enhancement of educative and ideological work in the country, and the improvement of social relations. This ensures planned mediated action on all the links of anti-social behaviour, from the formation of the personality to action on already formed behaviour motives, on the choice of aims and means of carrying out this or that act. The *second level* is connected with preventive action on concrete social groups (the micro-environment) in which conflict situations develop and negative phenomena emerge. Here the prompt elimination of defects found in the life of this or that collective, social group, is essential. The *third level* is individual educational preventive work, which aims essentially at bringing about a positive change in the person's system of value orientations, overcoming his anti-social views and attitudes, and developing respect for the rules of the socialist way of life, for the personality and dignity of those around him, and for law and order. All these levels of preventive work are connected, firstly, with one another, and, secondly, with the types and forms of prevention and determine them. There is no rigid, simple connection between them, however. The connection between them is a probabilistic and complex one. It is expressed in the fact that the prevention carried out at each level is of an independent nature.

Forms of prevention

It is generally accepted that as a rule offences are not committed suddenly and unexpectedly; they are more often than not preceded by a long period of anti-social behaviour. Thus, the need arises to carry out not only *direct* prevention (when the object of preventive action is a person in a state, conventionally speaking, close to the committing of a crime), but also *early* prevention (here the object of the action is a person with negative characteristics, who is, nevertheless,

at a stage which is, conventionally speaking, still remote from the committing of a crime). Consequently, we can speak of *two forms of prevention: early and direct.* The main criteria for dividing prevention into early and direct are, firstly, the time that "separates" the person from the moment of his possible commission of a crime; and, secondly, the degree of "social depravity" of the person. Timely prevention is most important in preventive activity with a person.

Direct prevention is the main form of preventive work. It is essentially the organisation and carrying out of preventive activity aimed concretely (and directly) at detecting and eliminating the causes and conditions of crimes, at the detection of persons who may be expected to commit crimes, and carrying out work with them aimed at preventing the committing of crimes. Direct prevention is closely connected with the deferrence and suppression of crimes. It is done by various bodies, establishments and organisations and at different levels.

Early prevention. Consideration of this problem gives rise to a number of questions: when should the preventive work with people begin?, who should carry out this work?, what is the place of early prevention in the system of educating the younger generation, the people?. For the practical social prevention of anti-social behaviour it is important to implement a system of measures to prevent negative influences on the individual from the beginning of his development and at all subsequent stages.

The basis of early prevention is education, moulding in everyone the willingness to observe prescribed socialist norms voluntarily. Education is carried out at all levels of prevention and at all stages of the development of the individual. Education is part of the preventive function, and prevention is a function of education. Education and prevention cannot be divorced from each other. This is particularly true of the early prevention of offences. Education enters the system of crime-control measures through the prevention (both early and direct) of anti-social behaviour. The early prevention of this behaviour is largely purposive educational work. By virtue of its immanent characteristics it is inconceivable without broad use of the means, methods and devices of educational influence. But it is preventive and therefore cannot be regarded outside

the system of crime control. The latter begins with prevention, particularly at the early stage.

Some criminologists in discussing the early prevention of anti-social behaviour refer to the absence of an obvious criterion that would enable us to assess albeit approximately the state—close to or far from committing a crime—in which a certain person is. Insofar as the finding of such a criterion is connected to a certain extent with the choice of measures of preventive action this question is by no means of academic interest only. Prevention should be started when the need for it arises. This applies not only to adolescents and all juveniles, but also to adults. For one special variety of early prevention is prevention in relation to adults, even those with a conviction. Account is taken here not of age, but of the degree of "social depravity" of the person. The main trend of this form of prevention is prevention in relation to juveniles.

Obviously in connection with the early prevention of anti-social behaviour we can talk of phases, periods, stages and cycles of the socialisation and formation of the personality of the offender. Therefore, in discussing this prevention I should like to draw a certain analogy with the prevention of diseases. As we know, medicine pays attention mainly to the prevention of diseases. In this respect the period of childhood is the most vulnerable. This is also true of anti-social behaviour. Consequently, the prevention of such behaviour must be started at the earliest stage in the development of the personality of the offender. The earlier the better.

If time has been lost, if certain changes have already taken place in the personality, if it has been seriously deformed, obviously recourse must be made to direct prevention. Thus, the main task of early prevention is to prevent the actual possibility of deformation of the personality, the possibility of the emergence of negative social qualities in the personality structure. Early diagnosis is important to discover the beginning of the "disease". Early prevention consists of nipping anti-social behaviour in the bud, not allowing the person to get as far as violating the norms of socialist society.

> To explain the real laws of the formation of the personality we must focus our attention on the early period of its formation, on the social "training" that everyone has in the process of growth

and maturity, in the process of the development of the personality. We know, for example, that at an early age a child objectively "joins" the system of social relations in the forms of social activity accessible to it. In contact with people (adults and children of its own age) it acquires (and exchanges) all sorts of information and experiences different types of action and influence. It is during this process that the personality is formed, the person acquires his own experience of activity and communication, and takes over social values and norms. However, this process is frequently a contradictory one, for positive and negative influences clash in it. Therefore the personality does not always receive the necessary orientation in life and activity, in behaviour. Meanwhile this process of the formation of the personality requires a strict system of consistent measures that influence the person from the very beginning—literally from nursery school throughout his whole active life. It is essential to educate people from childhood, to teach each one the norms and rules of behaviour. A well brought-up person not only knows his rights and obligations well, but also observes them. He is conscious and disciplined, full of initiative and responsible. The most significant cause of anti-social behaviour is lack of education. Consequently, early prevention of this behaviour means bringing to bear various influences on people from the angle of pedagogics. For it is as a result of defects in education that the state of pedagogical neglect develops. And it forms the ground on which negative (including criminogenic) factors sprout and anti-social attitudes and negative tendencies in a person's behaviour develop. Hence the important conclusion that the prevention of anti-social behaviour should begin at the early stages of the emergence of difficulties in educating children and the pedagogical neglect of both juveniles and adults.

The early prevention of anti-social behaviour is becoming particularly important in modern conditions. This explains why such prevention has become one of the main trends of preventive activity as a whole. Early prevention "holds" people's way of life within the framework of universally accepted norms and does not allow it to "grow" over into an anti-social way of life.

Types of prevention

There are two accepted forms of the prevention of offences: general and individual. However, apart from these there are other forms: prevention in relation to individual social groups, so-called victimological prevention, self-prevention, as has already been mentioned, and special prevention (both general and individual) which is carried out by specialised bodies and organisations with the help of special means and methods. Let us examine some of these types.

By *general prevention* we mean activity that ensures the normal (law-abiding) behaviour of citizens. It is a restraining influence on members of society, based on social norml (including legal ones) and carried out by the corresponding state bodies and public organisations. Members of society are informed of the rules (norms) of behaviour and it is stressed, in particular, that anti-social behaviour is punishable. In other words, the whole population is sent "signals" about how they can and should behave and how they should not behave. The effect of general prevention is ensured insofar as general prevention measures restrain citizens from undesirable actions (acts) which they might otherwise have committed. The attitude of people to different types of behaviour depends largely on the influence exerted on them by society.

The general prevention of offences is carried out within the framework of society as a whole. An advantage of socialist society is that general prevention of offences is carried out here in the economic and cultural construction, in the rational organisation of labour, leisure, everyday life, education, etc., i.e., in all spheres of life. General prevention is promoted by the moral and political atmosphere that prevails in the country. The prerequsites for the success of general preventive work, the real possibility of its being carried out, lie in the very nature of Soviet society. The general prevention of offences includes forms of activity aimed at management of social processes that excludes possibility of the emergence of the prerequisities for anti-social behaviour. Its essence lies in the fact that the carrying out of general preventive measures is aimed at mobilising members of society to combat those phenomena of social reality which in certain conditions create the possibility of individuals adopting anti-social standpoints. Moreover general prevention has a varied influence on the choice of behaviour variants acceptable to society. Thus it also serves the interests of all the working people, each person.

The main tasks at this level are activisation of all means of educational-preventive work, turning of the social and moral norms of society into the decisive and daily norms of people's activity. A great role in tackling these tasks is played by the moral education of members of society, and the propagating of legal knowledge among the population. It is important that this knowledge should receive a social assessment and be disseminated at the level at which it can have a positive practical influence on

public order. The mass media can be of special assistance in this matter. Their role in general prevention is an important one.

From general to individual prevention. This transition is a move in the direction of the concrete, insofar as it is not general, but individual prevention that is connected with a concrete person. For the so-called personal level is characterised by special qualities conditioned by the specific work with each concrete person. All the practical conclusions and deductions concerning personality behaviour are concentrated at this level. However, no matter how much general and individual prevention differ in quality, there is always an inner connection between them and the presence of this connection is stressed most strongly within the framework of the personal approach. Nevertheless, the measures necessary for general prevention are frequently of no use in individual preventive action. They are broader and less concrete, whereas individual prevention is always completely concrete.

Individual prevention is intended, first and foremost, for concrete work with each individual person. It is used when the behaviour of an individual testifies to the real possibility of his adopting anti-social positions. Individual preventive measures ensure the necessary action, on the one hand, on the individual himself, and on the other, on the conditions of his immediate environment. The main elements of the system of individual prevention are: firstly, a careful study of persons leading an anti-social way of life in order to detect those in relation to whom individual action would be particularly useful and expedient; secondly, determining the main measures and steps, with the help of which it might be possible to exert the necessary action in practice; thirdly, working out rational methods of organisation, control and determination of the effect of individual preventive action. The object of such action is usually considered to be the personality of the offender—the concretised object itself of the prevention of anti-social behaviour.

It is necessary to extend the sphere of individual prevention. It must be the nucleus of the whole system of prevention of offences. For essentially individual prevention is the sum of measures of persuasion (education) and coercion (punishment) applied to the bearers of anti-social tendencies and orientations. And this is a special category of people who stand in need of special action.

The aim of individual prevention is to change, alter deviant behaviour with the aim of either suppressing the anti-social behaviour of the individual or changing the criminogenic tendency in the behaviour. Hence the main tasks of this prevention are to discover the real laws of deviant behaviour, to establish the mechanism of its formation and change, to study the sources of negative influence on the personality, and to examine the possibilities of creating favourable circumstances for it so that no offences are committed. It is equally important to establish control of such persons' behaviour and way of life, to check periodically the results of preventive measures carried out. The tasks of individual prevention may be considered fulfilled if the leading (generalising) elements of the system of self-control of the personality have become the moral and legal injunctions and imperatives of society.

Social control in the process of carrying out prevention

We can talk of control in the various spheres of state and social life: for example, control in the sphere of financial activity, in procuratorial supervision, etc. In Party work we speak of control over the implementation of decisions. All these are varieties of social control. For criminological science the concept "social control" has a methodological meaning. This concept enables us to discover the historical conditionality of those control functions of the state and society that have a direct influence on the process of crime control. It is of special significance for the prevention of anti-social behaviour. Hence the need for intensive use of the means and methods of social control over the observance of norms of behaviour in socialist society. However, the prevention of anti-social behaviour does not simply make use of social control which, in the interests of society, is present in all spheres of state and public life. In the process of preventive activity a special control takes shape which has a very clearly defined direction. It is the preventive function of social control that "operates" here.

By social control we usually have in mind the self-regulation of the social system that ensures the orderly interaction of its constituent elements by means of normative (including legal) regulation. Social control is an element of a broader system of society's regulatory actions on the behaviour of individuals.

A distinguishing feature of this action is the orderly, formalised, categorical demands made on the individual, their normative nature, their provision with sanctions (both formal and informal). The system of social control invariably makes use of social norms which are reflected in ideology, philosophico-ethical views, etc. The relationship which exists within the framework of the mechanism of social control between society and the individual is not the "direct" relationship of the subject and the object. In other words, social control is not merely the "action" of society on the individual. A certain interconnection exists here: society creates the individual, but the individual also creates society, consequently, society "controls" the individual, and the individual society. However, the "action" of society on the individual is reinforced by the realisation of the preventive function of social control. In this case social control helps to enhance the social significance of established rules of behaviour, the formation in the consciousness of citizens of the conviction that society and the state will not tolerate violations of these rules. And this is what determines the role of control in the prevention of anti-social behaviour.

In determining the main trends of social control in organising the prevention of anti-social behaviour the following should be borne in mind. Firstly, social control promotes the regulation of social processes and the influencing of the individual thanks to which the effectiveness of prevention is raised and the behaviour of citizens brought into line with the moral and legal principles, ideas, views, assessments and judgements prevalent in society. Secondly, social control places people's actions within definite regulatory frameworks which correspond to the demands of social discipline and rule out violations of moral and legal imperatives or make such violations difficult. Thirdly, social control is a form of drawing the broad mass of the working people into the control of offences, into the preventive activity of state bodies and public organisations. Fourthly, the development of social control is an essential prerequisite and the most important factor for the further improvement of state and public activity aimed at the prevention of offences. Moreover, social control as a means of preventive action has strictly defined legal bases and its own legal status. This type of control is used in both general and individual prevention of anti-social behaviour.

The victimological aspect of prevention

It would be wrong to regard prevention only in relation to offenders, i.e., those who have committed a crime or are capable of doing so. Prevention should also concern those

who have been the victims of crime. A victim, by virtue of his special position and procedural rights, stands, as it were, apart from the person who has committed the crime. Is that so? From the criminological point of view the answer is negative. In the sphere of crime prevention the level and volume of results depend to a certain extent on the comprehensive analysis of the role of the victim of crime in the causal mechanism of individual criminal behaviour and on consideration of this role in drafting and recommending measures of preventive action. Here we can find considerable reserves for strengthening preventive action in the sphere of crime control.

Victimology, the science of crime victims, is closely connected with the criminological theory of the prevention of offences and with its practice. Victimological prevention does not compete with traditional preventive activity, but, possessing a certain independence, adds to and enriches it. The emergence and existence of victimology is justified precisely by the fact that it not only provides the factual material necessary for crime control, but also enriches the arsenal of preventive measures with new possibilities conditioned by a better knowledge of the defense resources of victims, the circumstances under which they were harmed. Consequently, it is necessary to change the view of prevention as work related only to offenders. We cannot ignore the fact that the victimological aspect finds a place in all trends of the prevention of criminal behaviour.

The victimological aspect of the prevention of offences is connected primarily with the implementation of measures to eliminate situations (circumstances) conducive to criminal behaviour. Therefore in order to increase the effectiveness of prevention maximum use must be made of all possibilities (including victimological) and not only those connected with a person who may be expected to commit a crime. In this connection turning to the victim of a crime is a preventive possibility as yet unused. This possibility may be used in both general and individual prevention.

The main prospects of victimological prevention exist in relation to the different types, categories and groups of crimes. For example, in more than half the criminal cases of rape the women themselves, the victims, had created a situation conducive to the crime (visiting the flat of a man with whom they were only slightly acquainted, going off

with casual acquiantances to secluded spots, drinking in company, etc.). Many road accidents are caused by the victims themselves. This is also true of many other types of crimes, even such ones as murder, grievous bodily injury, theft and profiteering. Therefore victimological prevention should be based on a corresponding classification. A differentiated approach is essential here.

Self-prevention

Self-prevention is a special type of social prevention of anti-social behaviour. It is connected with such socio-psychological phenomena as self-education, self-instruction (and learning in general), self-consciousness and self-assessment of the individual, and a person's perception and assessment of the social situation.

Self-assessment and assessment of situation are important socio-psychological factors, the analysis of which makes it possible to explain and largely predict the content and direction of both individual and social actions. In turn the formation of self-assessment and specific perception of a social situation depends on the nature of the social assessments which, on the individual level, form the "individual scale of values", and on the level of the social group, the "social scale of values". Refracted through the prism of these scales, social assessments produce corresponding individual and social actions. In relation to the problem of self-prevention the individual scale of values acquires special significance. As we know in preventive activity the individual is, as a rule, assigned the role of object of the action, and the bodies and organisations (the subjects of prevention) the role of the controlling and coercive force. This idea of the mechanism of preventive action, to our mind, is one-sided. The role of the individual is ignored. Yet it is not a passive, but an active force influencing the process of preventive action.

In fact in the process of prevention there is a clash between the individual (the object of the action) and the bodies and organisations (the subjects of the action). Their interaction is of a more complex nature than simply the influence of subjects on objects. The fundamental specific feature of the "functioning" of the object of prevention must not be overlooked. The relation which exists in the framework of the

mechanism of preventive action is not, therefore, only the action of the subject on the object. The process of this action is essentially the process of the interaction of subjects and objects, and therefore it is right to include two types of actions in its scheme: the action of the individual (controlled behaviour) and the action of the bodies and organisations (controlling activity). What is more the mechanism of self-regulation of individual behaviour does not lie outside prevention. The individual is included in the process of preventive action. He takes a direct part in this process, actually promoting (by his actions) its successful carrying out. We must simply ensure that the individual is interested in the positive outcome of the prevention. This is a special trend of individual prevention.

Self-prevention is the action of the individual on himself. It is characteristic of all people that they try not only to understand themselves, but also to influence themselves. The greatest victory is the victory over yourself, as the saying goes. This is why the individual under preventive care must be taught methods of self-education, shown the enormous possibilities of self-formation, self-prevention. We must not see prevention as a stream flowing in a single direction. Prevention is also self-prevention, self-education. The personality in the broad sense of the word begins where a person starts taking an interest in self-knowledge, self-education and control of his own acts, where the need to observe the simple, basic rules of human communication becomes a habit. This means, first and foremost, developing in each person the ability for independent interpretation of his own actions, for the self-regulation, control of his behaviour. All controlling action (preventive action included) presupposes that the controlled subsystem has its own interests and aims, in accordance with which it constructs its own behaviour. Consequently, the more successfully the control tasks in the sphere of prevention will be solved, the closer the aims of the controlling and controlled subsystems are. However it is necessary to ensure (particularly in the sphere of prevention) that the controlled subsystem itself strives for the interests and aims set by the controlling subsystem. In such cases preventive action is complemented by self-prevention, the individual's self-regulation of his behaviour. Of course, such contact is by no means always possible. Therefore the need arises for regulation of behaviour from without. But such a complex system as the individual cannot objectively be controlled only by rules prescribed from without or other external actions. The action of external regulators on individual behaviour must be complemented by the action of internal regulators, i.e., self-regulation. The task of making practical use of this law is basically to create special mechanisms of behaviour self-regulation. It is important to develop in people under preventive care the inner conviction that the aims and tasks confronting them are

their own, and that the attainment and solution of these aims and tasks are not only in the interests of those who are carrying out the prevention, but also in their own interests. This is an important condition of transferring people under preventive care to a so-called self-regulation regime. It is on this that self-prevention is based.

Self-prevention is an effective means of personality development that leads to an improvement in the way of life. With the help of this prevention a person changes for the better. Self-prevention is an objective social phenomenon. It merges with prevention as a whole and is filled with new content: prevention prepares the individual for self-prevention, and self-prevention complements and enriches prevention. Self-prevention is the conscious purposive activity of certain categories of people to overcome their negative qualities and form the positive ones necessary for society and the person's individual development. The system of self-prevention includes self-observation, self-control, self-analysis and self-criticism. Correct self-assessment is of special importance. Without some sort of self-assessment there is no personality. And it is important that this assessment should be correct. It is essential if the person is to understand his behaviour.

The instruction process in connection with self-prevention. An examination of instruction processes is extremely important and has a direct bearing on the problem of behaviour regulation in general and the prevention of deviant behaviour in particular. An analysis of instruction factors leads directly to the practical control of behaviour. Practically the need for instruction stems from the fact that the ability of the individual who is under preventive care to control, to criticise his own behaviour is impaired. Impairment of the ability to criticise may take different forms and appear in the structure of different processes; such as thinking and perception. It may be expressed in an incorrect assessment of one's personality, one's actions, it may manifest itself also in an uncritical attitude to the actions of those around, for example, those who are carrying out the preventive action. All this is often an inability to act deliberately, to check one's actions, and to correct them in accordance with the objective conditions. Consequently, a person should be taught what is of positive significance for practical application in his behaviour. It is not enough to know what is

right and what is wrong, what society values and what it censures, and what behaviour should therefore be like. A person must also be able to restrain himself from wrong actions, to regulate his behaviour in accordance with social norms. Self-prevention helps to achieve this result in the process of instruction.

The unity of levels, forms and types of prevention

Any type (level, form) of the prevention of offences may be considered independent, because it takes the specific conditions of its manifestation into account. But this dependence is conventional. Of course here we can see a certain contradiction (it exists everywhere), but we must stress the principle of unity. In the social prevention of anti-social behaviour "priority" is not given to any of its levels, forms or types. We assume that there is a unity, "equality", a balanced connection, between these levels, forms and types. This is why we refer to a "balanced system" of prevention. Imbalance leads to impairment of the normal relations in the prevention system as a whole. If we are to increase the effective functioning of the whole system of prevention this requirement for a "balanced system" acquires a special importance.

In practice the solution of all preventive tasks merges into a united process. This unity enables us to conclude that we do not simply propagate the integrity of the system of prevention, but embody it in practice. It is on the basis of the scientific conception of the unity of the prevention system that the system itself is constructed, functions and develops. This system is a single force of preventive action.

Mention must be made of the unity of general and individual prevention. In practice, of course, a rift is possible between the general preventive demands made by the state and society on the population and the meeting of these demands in relation to each person. It would be an overstatement to say that each citizen fully embodies all the features and principles that the society demands of him. For the individual does not always absorb all the instructions addressed to everyone, including him. And this is particularly true of instructions which the individual rejects and violates. This situation presupposes the "transition" from general to individual prevention. However, the actual

ensurance of the unity of these types of prevention depends on a number of conditions. The most important of these is the rational combination of general and individual preventive measures. The principle of the unity of these measures is a most important one and lies at the basis of the system of social prevention of anti-social behaviour.

General and individual prevention act best only in unity with each other. On the one hand, general prevention influences the behaviour of this or that person. On the other, individual prevention makes the general approach more concrete, by dealing with a concrete person. Both aspects of the process of preventive action are inseparable. Practice shows convincingly that success in the sphere of prevention is most significant when the work is based on the principle of the unity of general and individual prevention. This principle is most strikingly expressed in the new organisational forms of the preventive activity of the public order-keeping points and the prevention councils of work collectives.

2. A CHARACTERISATION OF THE CONTENT AND PROVISION OF THE SOCIAL PREVENTION OF OFFENCES

The concept of the content of prevention

We have already said that the system of the social prevention of offences includes the subjects, objects, content and provision of prevention. To a certain extent the content includes the levels, forms and types of prevention examined above, which also bear on the provision of preventive activity. Measures of preventive action are of special importance for the assessment of content. It is they (a comprehensive system of measures) that help us to answer the question of how to carry out prevention and what its programme should be.

A programme of social prevention of offences is an organic part of a broad system of measures aimed at the further improvement of social relations. In accordance with such a programme, the preventive trend presupposes the carrying out of a set of measures aimed primarily at eliminating the causes and conditions of emergence of offences and creating the most favourable conditions for the formation of spiritually strong and educated people and for the prevention of deviant behaviour. This trend, the responsibility of each and every one for public order and the broad participation of the population, state bodies and public organis-

ations in controlling offences express the democratic and humane nature of the system of the prevention of anti-social behaviour and embody the Party's policy in this vital social sphere. Practice shows that this policy, the concern of the socialist state for keeping law and order and preventing offences, has made it possible to carry out a broad programme of measures for crime control and to achieve considerable success in this sphere.

The realisation of preventive possibilities in the Soviet Union is not spontaneous, but is the result of organised, conscious activity. The content of prevention is a scientifically based set of state and public measures for influencing the negative factors that promote the survival of offences, the spiritual world and behaviour of members of society who violate social norms. This set of measures develops historically as the result of the objective conditions which, at each stage of socialist and communist construction, create new real possibilities for successful crime control. The content of prevention is also determined by the diverse forms and types of preventive activity, as a result of which criminogenic factors are either eliminated or neutralised. Correct definition of the content of prevention of offences (measures, forms, types) means that it will correspond to the main trends of this prevention being carried out by society.

The content of preventive activity is realised through a system of purposive measures that ensure the effective "functioning" of all social norms regulating social relations in all spheres of social life: socio-economic, socio-political, everyday, etc. The preventive measures in each of these spheres are aimed in the final analysis at eliminating the causes and conditions that give rise to elements which upset the mechanism of social regulation, at removing the circumstances conducive to the violation of the social norms, at re-orientating the individual who is capable of violating or violates these norms. The whole system of preventive measures used by Soviet society is based on unified principles that express the demands made by the Party and the Government on this type of activity. Therefore preventive measures should be politically correct, ideologically aimed, economically expedient, scientifically based, legal, in keeping with the principles of democratism and humanism, effective and well organised. They should also be real, concrete and not contradictory. These measures should be applied in a differentiated fashion, taking account of the different categories and groups of the population.

Problems of ensuring prevention

The social prevention of anti-social behaviour is ensured in various ways: political, ideological, economic, material-technical, organisational-administrative, financial, personnel and many others, used by state bodies and public organisations. One of the most important is the legal means of ensuring prevention. This, unlike the others, means that the state in the person of its bodies lays down universally binding rules of behaviour (legal norms) which establish: the range of subjects of prevention; the range of objects of preventive action; preventive, prohibitive, restorative and other measures to protect society from infringements of the law, responsibility for the infringement of these legal norms, a system of control for their proper enforcement and observance. Thus, the legal means is a system of measures reinforced in legislation that ensures public order. The sum total of this type of "action" is the provision of preventive activity in the broad sense of the word. The provision of this activity means the creation of the necessary conditions for the successful functioning of the prevention system as a whole.

Classification of preventive measures

The classification of preventive measures is one of the most complex and little studied questions of criminology. It can help practical workers to carry out prevention in a differentiated way, taking account of different groups of offenders. In the search for means of solving this problem we often speak of general and special measures, measures of general and individual prevention, measures to eliminate (or neutralise) the causes and conditions of offences, measures of direct action on persons leading an anti-social way of life, organisational measures and many others that help to increase the effectiveness of prevention. The most widespread is classification according to the nature of the factors that give rise to crime and also the possibilities of influencing them. It provides for the following:

neutralising measures used when dealing with objective circumstances, phenomena or processes which are inevitable by virtue of certain historical conditions and cannot be eliminated in a short time (the criminogenic influence of these circumstances, phenomena or processes is neutralised);

compensatory measures—these are used in cases where normal conditions have not been created for the education of individual persons (for example, the activity of the system of state institutions for children compensates for the absence of conditions of family upbringing);

measures to prevent the arising of circumstances conducive to the committing of offences (for example, elimination of the causes and conditions capable of producing road accidents)

measures to eliminate circumstances conducive to the committing of offences if they have already arisen (for example, the sale through the trading network of the required amount of goods that were previously the object of profiteering).

This classification is perfectly justified. However, to our mind, it would be better to make it, on the one hand, broader, and on the other, more concrete. To this end the classification of preventive measures should correspond to the levels, forms and types of preventive activity. Hence the following additional classification arises:

measures of prevention used on the high (first), middle (second) and low (third) levels of preventive action;

measures of direct and early prevention, general and individual prevention, measures of self-prevention and measures of victimological prevention;

measures of prevention corresponding to the individual categories, groups and types of crimes, individual categories of criminals (for example, preventive measures for recidivist crime, juvenile delinquency, group offences, female crimes, measures for preventing hooliganism, road offences, embezzlement, etc.) which make it possible to take account of the specific nature of these crimes and to differentiate measures against them.

We can also classify measures according to subjects of prevention. In so doing special measures should be singled out (such as those used by the agencies of the Ministry of the Interior). They are closely connected with measures of deterring and suppressing crimes.

In relation to preventive action on concrete categories of persons all preventive measures are divided into *two main groups*: measures of persuasion and measures of coercion.

The *measures of coercion* are not the main ones, but subsidiary ones. We must first seek to persuade, then coerce. "We must make every effort to persuade people before applying

coercion."[1] In prevention coercive measures are used when measures of persuasion do not yield the desired results. But nevertheless coercion is necessary in this sphere. Therefore the general law of the gradual reduction of the sphere of coercion in society should not be automatically extended to the sphere in question. The offender must know that the risk he is taking is so great and the punishment so severe, that he would lose more than he would gain from committing a crime. Essentially people strive for order, but the actions of many of them give rise to disorder. This is why state authority is compelled in a number of cases to resort to coercive measures. Their application results from the need to uphold socialist legality, to protect public order and the rights and interests of all members of Soviet society. This means that in modern conditions coercion has not exhausted itself. In speaking of the social prevention of offences, it must be specially stressed that this is alien to liberal attitudes to those who violate Soviet laws and the rules of the socialist way of life. In relation to these persons it is necessary to use the whole set of measures of social action, the full force of Soviet laws. Coercion in this sphere, as in any other, is an expression of public disapproval of an act, behaviour. And the degree of this disapproval should be reflected in the "extent" of the coercion.

The problem of coercion is closely linked with questions of the inevitability of punishment. Everyone who has committed an infringement of the law should be called to account, punished. From the point of view of prevention, the inevitability of punishment is more important than its severity. Even the most severe punishment does not achieve the maximum effect in restraining a person from committing an offence. The inevitability of punishment is connected with coercion. It does not "function" somewhere in thin air, but is woven into the complex fabric of measures of preventive action.

Measures of persuasion in prevention are educative, explanatory measures. Persuasion is the basic measure of prevention. It is a manifestation of the educative function of prevention. It has a fairly broad field of application, but is used not apart from coercion, but in close interaction

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[1] V. I. Lenin, "Tenth Congress of the R.C.P.(B.). March 8-16, 1921", *Collected Works*, Vol. 32, 1965, p. 212.

with it. Persuasion as a method of eliminating offences presupposes the active and purposive influencing of the consciousness and behaviour of citizens aimed at inculcating an inner need to observe public order, and also preventing the emergence of stimuli for deviant behaviour. The subjects of prevention, we would emphasise once again, resort to measures of coercion only after measures of persuasion have been exhausted. However, the actual function of coercion often engenders the function of persuasion. This happens when after the application of coercive measures (if they have yielded the desired result) the need arises to use measures of persuasion again. Frequently both sorts of measures are used parallel to each other. All this enables us to speak of the unity of the measures of persuasion and coercion in the prevention of anti-social behaviour.

The unity of the measures of persuasion and coercion

Obviously explanatory work alone, although important, is not enough to eradicate offences. Lenin pointed out: "It is quite impossible to fulfil this task without coercion."[1] In the control of offences he attached great importance to "exposing thoroughly and bringing to public light the significance and all the social and political threads of the crime, in order to draw lessons in public morals and practical politics from the trial."[2] This task of drawing "lessons in public morals" is performed by the bodies and organisations that carry out the prevention of offences. They proceed from the following: "when measures of persuasion fail to produce the desired results, decisive measures must be taken against these persistent loafers, bad workmen, drunkards and violators of labour discipline."[3] These instructions serve as a guide to action in the work of preventing the various types of deviant behaviour.

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[1] V. I. Lenin, "Original Version of the Article "The Immediate Tasks of the Soviet Government", *Collected Works*, Vol. 27, 1965, p. 217.

[2] V. I. Lenin, "Casual Notes", *Collected Works*, Vol. 4, 1972, pp. 393-394.

[3] L. I. Brezhnev, *Following Lenin's Course, Speeches and Articles (1972-1975)*, Progress Publishers, Moscow, 1975, p. 286.

Naturally as the USSR advances towards communism Soviet people have a greater sense of responsibility and awareness of their public duty, and the role of persuasion, the need to observe social (including moral and legal) norms that becomes a habit also increases. But this does not mean a decrease in requirements, of course, a rejection of the need to apply coercion to those who violate public order and commit offences. On the contrary, the higher the level of people's consciousness, the higher their moral level, the more intolerant society is of even minor violations of public order, discipline, moral and legal principles and the more strictly we must protect the "social health" of society, the will of the people elevated into law. It should be noted that measures of coercion not only stop anti-social behaviour, but also create conditions under which it will not arise at all.

The unity of persuasion and coercion does not deprive them of their specific features. Coercion in the sphere of prevention has a number of features: in combination with persuasion it is legal in form, distinguished by a definite formal nature, etc. The guarantees of the correct realisation of coercion, its effectiveness lie in the combination of coercion with persuasion. Excessive use of one method or overestimation of the other may lead to a certain neutralisation of their action. Lenin wrote: "Our application of coercion was correct and successful whenever we had been able to back it up from the start with persuasion."[1] Persuasion also has a number of special features: explanatory talks, the formation of correct attitudes and views on life—this is a purely educative, not a legal means. But persuasion cannot and should not mean endless pleas to and condoning of those who ignore them. Prevention requires the flexible use of measures of persuasion and coercion.

[1] V. I. Lenin, "The Trade Unions, the Present Situation and Trotsky's Mistakes", *Collected Works*, Vol. 32, p. 33.

CHAPTER XI

BASIC PRINCIPLES OF THE LEGAL REGULATION OF SOCIAL PREVENTION

1. THE PLACE AND ROLE OF LAW IN THE SOCIAL PREVENTION OF OFFENCES

The Constitution of the USSR and general problems of law

The social prevention system needs a legal basis. For socialist society is a truely legal one, a society of strict legality. The major documents of the CPSU formulate clearly the propositions that one of the main trends in the development of the political system of mature socialism is a strengthening of the legal basis of state and public life, and that socialist democracy is impossible without legality, without discipline. Law in Soviet society expresses the will and interests of the entire working people. Legality is also becoming the "common possession" of the entire people not only because it serves the interests of all working people, but also because it acts as an object of attention and concern of increasingly broad masses of the working people and of their public organisations. The basis of all the legal norms of state and public life in the Soviet Union is the Constitution of the USSR. It stands on a firm theoretical and practical foundation and it gives clear expression to the development of the democratic elements of legislative activity in the USSR. The Constitution is the base of the further development of legislative work in the various spheres of state and public life in the USSR. It also provides such a base for solving legal problems of the social prevention of anti-social behaviour. This is a special sphere of legal regulation.

Law in this sphere, taken in the *broad sense*, covers the extremely extensive and diverse range of relations that develop in the sphere of prevention. "Preventive law" is not a

special branch in the system of socialist law in general, but is the sum total of established legal norms (criminal-law, criminal-procedural, corrective labour, financial, economic, civil, etc.) that regulate certain sets of relations in the sphere of prevention. This law may be called multi-componential. The different branches of law (criminal, criminal-procedural, corrective labour, etc.), although regulating preventive activity in the broad sense, undoubtedly retain the significance of independent branches of law. Taken in the *narrow sense*, however, law in the sphere of prevention is aimed specially at regulating "preventive relations". Here we can speak conventionally of a special branch of law—a "preventive" branch. Thus, we can use the term "preventive law" both in the broad and in the narrow sense.

> Legal regulation under socialism is necessary not only in the sphere of economics, collective-farm and land relations, labour relations, criminal-law relations, etc., but also in the sphere of the prevention of offences, insofar as here too we cannot do without universally binding norms, without demands for their observance, without an assessment of behaviour compared with the requirements of law, with the opportunities provided by the law to choose such behaviour, i.e., with one's rights and duties. Here the problem of responsibility is of special significance too. All this is important because legal regulation is an essential component of the organisation of prevention, of control in this sphere. For preventive action on persons leading an anti-social way of life is administrative, controlling, and is regulated by legal norms.

Principles of law. To determine an effective system of legal norms regulating preventive activity it is necessary, first and foremost, to establish the principles of law in the sphere in question. These are, as we know, guiding ideas (provisions) embodied in laws and other important normative state acts. Legal principles (together with juridical norms), being a type of social principles, make up the main content, the "matter" of a concrete type of law. It is, therefore, obvious that without establishing the legal principles in the sphere under review (prevention) we cannot expect success. Here, as in any other branch, principles as an essential attribute of law that characterise its qualitative features, appear in the form of a regulator of human behaviour. Consequently, they may appear in the role of regulators of the normative-juridical relations that arise in the organisation and carrying out of the prevention of anti-social behaviour.

However, legal principles, unlike concrete norms (although principles and concrete norms are indissolubly linked and united) contain not a strictly defined, but a general, most typical rule of behaviour that corresponds to the guiding idea which they express. Therefore the establishment of legal principles does not exclude, but, quite the reverse, actually presupposes the elaboration of concrete norms in each concrete sphere, including the sphere of the prevention of anti-social behaviour.

Legal principles largely determine the prospects of the development of law and thereby help to fill in omissions and remove defects in legislation. Being the ideas, the main propositions of the policy of the Party and the state enshrined in legislative norms, legal principles not only possess a certain normative nature, but also point to the aims, the general direction of legal regulation of social relations. It is easy to see that the definition of legal principles in the sphere of the prevention of offences is of great importance.

The law and prevention

At the present stage of social development in the Soviet Union great opportunities are presenting themselves for using the advantages of socialism in the sphere of the legal regulation of social relations, improvement of the system of law and law enforcement, and protection of society against offences. The basis of this development is the Constitution of the USSR. All branches of law (legislation) develop under the influence of and in accordance with the Constitution. At the same time many legal norms, laws, derive from the meaning of this or that constitutional provision. In some cases the Constitution of the USSR refers us, as it were, to the fundamentals of legislation, legislative acts already in force. In others it contains a reference to laws which should be passed insofar as they follow from the meaning of the constitutional norm in question. What is envisaged in such cases is the passing of a special act regulating relations in this or that sphere. This is true, in particular, of the sphere of prevention of offences. For the law is one of the most important regulators of the social relations that arise in the sphere of prevention of anti-social behaviour.

Law aims primarily at positive regulating which will ensure the progressive, consistent development of socialist

social relations. This also applies fully to the role of law in crime control, the prevention of anti-social behaviour. Law not only establishes responsibility for circumventing a prohibition but also ensures with all the means at its disposal the conditions of positive behaviour and the effective functioning of the social prevention system. It is law that can organise, direct and stimulate prevention action on persons, on the causes and conditions of offences, criminogenic factors, etc. It is a reliable and highly efficient means making it possible to ensure that preventive activity is purposive, well-coordinated and orderly. However a study of the role of legal regulation of preventive activity requires examination of a set of problems connected with the social conditioning of the legal norms in question and of their regulating function, and also of their mechanism of operation in society, the influence of these legal norms on the improvement of social relations (in the sphere of prevention) and the reverse action of changes in social relations on legal norms. Regulation of social relations (one of the main functions of law) is an integral part of administrative preventive action on persons leading an anti-social way of life. In this case the legal norms act as a means of regulating the most important stage of the administrative cycle of decision-making. At the same time they have a stimulating effect on the emergence and realisation of other administrative functions. With the help of law an organising effect is achieved on certain processes. Law creates the juridical conditions for the carrying out of prevention and for the procedural organisation of preventive activity. Thus, law forms the basis of the prevention of anti-social behaviour.

The ensuring of legality in preventive activity

The Soviet state and all its bodies operate on the basis of socialist legality—precise and unswerving execution and observance of laws and other normative acts. The enshrinement of socialist legality in the Constitution as a fundamental principle shows the growing importance of law and legality in all spheres of social relations. On the legislative plane this derives from the strict legal regulation of the different types of state and public activity, and also the strengthening of discipline. On the political plane the growth in the

role of law under mature socialism is conditioned by the process of improving democracy which is impossible without strict observance of legality and public order. On the ideological plane this is conditioned by the further rise in the level of citizens' consciousness and culture. All this determines the need for constantly improving legislation and enhancing the fight against the various forms of anti-social behaviour.

The growth in the role of law in all the spheres of social life involves the responsibility of bodies, organisations and individual citizens for ensuring legality.

Legality is to an equal extent also a general principle of the structuring, organisation and functioning of the prevention system as a whole. Here legality is seen as a method of guidance (administration) of preventive activity. Law is the instrument for carrying out this method of guidance which manifests itself by creation and application of juridical norms. Thus, in the sphere of prevention legality also acts as a principle of state administration. Here it is the main (universal) principle possessing, first and foremost, a practical importance. The fullness of legislative regulation of relations in this sphere serves as the base for consistent implementation of this principle.

Legality must always be uniform. Lenin wrote that "law cannot be Kaluga law or Kazan law, but... it must be uniform, all-Russia law, and even uniform for the entire federation of Soviet Republics."[1] He demanded total observance of uniform laws established for all. Therefore, guided by Lenin's instructions, we have in mind, primarily, two aspects of the matter: "First, the strictest protection of the rights of the citizens, prevention of any arbitrary acts whatever, including those committed by officials. Second, we mean the strictest observance of Soviet laws, of the code of public order by all citizens."[2] These two aspects of legality are closely interconnected. Their interconnection is also clearly seen in the sphere of the prevention of offences and the activity of the bodies that control crime.

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[1] V. I. Lenin, "'Dual' Subordination and Legality", *Collected Works*, Vol. 33, 1966, p. 364.

[2] L. I. Brezhnev, *Following Lenin's Course. Speeches and Articles (1972-1975)*, p. 447.

Legal regulation in the sphere of prevention

In embodying and enshrining the achievements of mature socialism, the Constitution of the USSR has greatly extended the limits of the legal regulation of social relations in the sphere of social prevention. It guarantees the broadest system of measures of preventing deviant (including antisocial) behaviour. Without consideration (and realisation) of the principles and norms of the Constitution of the USSR it is impossible to speak of the legal regulation of preventive activity.

The Fundamental Law proceeds from the fact that Soviet society is characterised by a high degree of legal regulation of the social processes that take place in it. It provides an interpretation of the social function of law that reveals new aspects of the mechanism of legal action on the various social processes. Its principles and norms form the basis for the whole practical activity of the state and public organisations, officials and citizens. Preventive activity is certainly no exception here. It is part of the system of state and public activity. Therefore the realisation of the constitutional principles and norms in this sphere (prevention) is also a fundamental social and political problem. These principles and norms form the core of the legal regulation of preventive activity.

The normative regulation of social relations is of a systemic nature and includes the interconnected totality of social norms (legal and moral norms, customs, etc.). The functioning of this or that system therefore means the use of various social norms. This makes it possible to establish clearly, firstly, the relationship of legal and non-legal means of action, the specific nature of legal action (outlining the external connections of legal means). The functioning of the prevention system also requires the use of different social norms (not only legal ones). But in distinguishing legal norms from them, we distinguish the framework of juridical regulation. Social relations in the sphere of prevention are regulated with the help of law alone. Of course, by no means everything in the prevention of offences can and should be directly provided for by law. Legal regulation itself can have varying degrees of particularisation. But all preventive measures must accord with the fundamental propositions of law.

The mechanism of legal regulation in the sphere of prevention is not a kind of special, independent mechanism, but a manifestation of the mechanism of legal regulation in general, in relation to the specific sphere of social relations,

to a special object. Therefore (thanks to this specifics) the mechanism of preventive legal regulation acquires a local structure, as it were. It is in this connection that we speak of the special features of legal regulation in the sphere of prevention and of the specific aspect of legal regulation. The special social relations must have a corresponding legal regulation. The legal norms that regulate preventive activity regulate special relations. And the regulation of social relations in this sphere also means the protection of public (legal) order. Thus, law serves as an effective means of protecting order, on the one hand, and eliminating anti-social acts, on the other. Here we have an intertwining of the two functions of law: protective and regulatory. They both promote the successful prevention of anti-social behaviour.

The place and role of law in prevention may be characterised as a whole, taking a number of considerations into account. Firstly, the legal norms that ensure prevention record the results of studying the laws and tendencies of development of preventive activity and take into account means of making effective use of these laws and tendencies. Secondly, legal norms define the aims and main tasks of prevention, i.e., express the realistic policy of the Party and state in the sphere of controlling offences. Thirdly, legal norms lay down the most effective methods, forms, forces and means of prevention sanctioned by law and define the basic rights and duties both of the subjects and of the objects of preventive action. The system of prevention is characterised by the multiplicity of its constituent elements and covers various social connections and relations. This determines the complexity of its legal provision.

Law promotes the normal functioning of the prevention system. It regulates the "activity" of this system, keeping it within a certain juridical framework and directing it towards "business contacts" with other social systems. The main method of legal regulation in this sphere is the stabilisation and ordering of preventive activity. It is law that regulates this activity. Here its role consists mainly in organising prevention and carrying out the appropriate measures. Experience shows that where the activity of state bodies and public organisations is not sufficiently regulated juridically, the realisation of the tasks of this activity suffers accordingly. This is particularly obvious in relation to the prevention of offences.

Trends in the legal regulation of prevention. We can speak of two main trends. One of them consists of legal action on the causes and conditions of offences, criminogenic factors, i.e., on various social processes, with the aim of eliminating unfavourable situations and also of stimulating anti-criminogenic factors. This includes all manner of legal action on persons leading an anti-social way of life. However, this action itself is subject to legal regulation and corresponding consolidation in legal norms. The other trend is "procedural" and consists of laying down the rights and duties (and establishing the responsibility) of persons included in the prevention system, in establishing the procedure for carrying out preventive activity and the content of concrete preventive measures. In a number of cases these two trends overlap and combine in a single legal statute. Their division is, therefore, conventional. But each of them has its own specific features.

Legal sources and legislative regulation

The main legal sources relating to the sphere of prevention are: group one—Fundamentals of Criminal Legislation of the USSR and the Union Republics, Fundamentals of Criminal Procedure of the USSR and the Union Republics, Fundamentals of Corrective Labour Legislation of the USSR and the Union Republics, criminal procedure and corrective labour codes of the Union Republics; group two—decisions of the Supreme Soviet of the USSR and of the Supreme Soviets of the Union and Autonomous Republics, decrees and resolutions of the Presidium of the Supreme Soviet of the USSR and the Presidiums of the Supreme Soviets of the Union and Autonomous Republics, decisions of local Soviets of People's Deputies, and resolutions and orders of the Council of Ministers of the USSR and the Councils of Ministers of the Union and Autonomous Republics; and group three—departmental and interdepartmental normative acts (instructions, regulations, rules, etc.) issued by the bodies and organisations taking part in controlling offences. Speaking in general about the sources of law relating to the sphere in question, we must point to the decisions of congresses of the CPSU and the resolutions of the Central Committee of the CPSU. Strictly speaking they do not contain legal norms, but when it is a question of legal

principles (and norms and principles are interconnected) we turn, first and foremost, to the decisions of CPSU congresses and resolutions of the Central Committee of the CPSU; this is a special group of legal sources relating to the sphere of the social prevention of anti-social behaviour.

The afore-mentioned legal sources contain the basic political and legal principles of carrying out the prevention of offences, the norms that regulate the preventive activity of the corresponding subjects and are addressed to them, and the norms that define the legal status of the objects of preventive action. A broad set of preventive problems is embraced here. They should all be seen from the standpoint of unity.

Law, legislation and laws. In discussing the legislative regulation of preventive activity, we must concretise the concepts we are using, namely "law" "legislation" and "a law (act)". This is important both for theoretical research, and for the practical solution of legal problems of prevention. Operative law should not be identified with the system of legislation. Law is rules of conduct established by the state. Legislation is the juridical acts of the supreme bodies of state authority and administration by means of the promulgation of which legal norms are established and in which these legal norms are contained. The system of legislation is a product of rational activity, a system of the forms of expression of normative material (sources of law). Basically it proceeds from a country's legal system, but does not coincide with it entirely. Legislation and laws are also phenomena that do not coincide (the former is multiplicity and the latter singularity; the former covers all the social relations regulated by law, and the latter individual questions only). They also differ qualitatively to a certain extent. The legislation system includes all types of enactments, not only laws.

2. THE LEGAL STATUS OF SUBJECTS AND OBJECTS OF SOCIAL PREVENTION OF OFFENCES

Among the many legal problems of prevention the study of the legal status of both subjects and objects of preventive action is of considerable importance. They (these subjects and objects) are always the bearers of concrete rights and duties, and are responsible for their own actions. The subjects of preventive action are the bearers of functional rights

and duties who possess certain powers in relation to participation in such activity. The legal norms that regulate preventive activity, the regime of legality and its concrete interpretation extend to them. The objects of preventive action (if we are discussing persons in relation to whom such action is being taken) also have definite rights and duties, and are responsible for their actions, their behaviour. Imprecision or confusion in the rights and duties of the aforementioned subjects and objects is a hindrance to effective preventive activity.

This problem concerns a set of interconnections of those who carry out prevention (the subjects) and those in relation to whom it is carried out (the objects). Their precise realisation of their rights and unswerving performance of their duties is the basis of preventive activity. All legislation on prevention is called upon to consolidate this basis. The rights and duties of the subjects and objects of prevention are not abstract concepts. This problem does not exist outside preventive activity, outside real life. It runs through the whole of this activity.

The rights and duties of subjects and objects of prevention

There is no and cannot be any preventive activity if its participants do not have rights and duties. On the juridical plane we can speak of this as the strengthening of the legal status of subjects and objects of prevention. Both possess extensive rights and bear considerable responsibility to society. The responsible approach of both subjects and objects of prevention (for their work, actions, acts and behaviour) is the unity, inseparability, of rights and duties. The creation of a "balanced system" of rights and duties of subjects and objects of preventive action is not a single measure relating to this or that stage of activity. It involves the continuous solving of the question of powers and responsibility. Here we must proceed from the fact that the unity of the rights and duties of those who carry out prevention and those in relation to whom it is carried out are essential conditions for the development of their (the subjects' and the objects') legal status.

The problem of responsibility. We cannot regulate people's behaviour or administer this or that activity without establishing and assessing responsibility for acts, actions, decisions, etc. The sanctioning of responsibility would have

no point if it were not engendered by the need to regulate definite social relations. The provisions of the Constitution of the USSR refer directly to the responsibility of state bodies, public organisations, officials and citizens for carrying out the duties incumbent upon them. The Constitution also uses the term "responsibility". Documents of the CPSU, particularly those discussing the strengthening of the control of offences, draw the attention of heads of enterprises, construction projects, institutions, secretaries of Party and Komsomol organisations, chairmen of trade-union committees, workshop foremen, etc., to their personal responsibility for discipline and law and order, the timely and strict response to reports and other information concerning anti-social behaviour. Of course, in preventive activity the sphere of expression and carrying out of responsibility is not confined to this. Essentially it runs through all the trends, principles and forms of this activity. Wherever the performance of duties is discussed reference is made to responsibility for carrying them out. Therefore we must speak of the responsibility of both subjects and objects of the prevention of anti-social behaviour. The responsibility is the sum total of the demands made by society and the state on those who carry out prevention and on those in relation to whom it is carried out. This is a general assessment of responsibility from the standpoint of preventive action.

Responsibility seen in relation to the sphere of prevention of offences is a criterion which permits assessment of the extent and quality of the performance by participants in the preventive action of their duties, in accordance with which either approval or censure is expressed. Essentially responsibility in this sense is the need (duty) to take decisions (and actions) which consider not only the interests of the participants in the process in question (the interests of subjects and objects), but also the interests of society as a whole, the whole state. In this case responsibility is the attitude of the participants in the process of preventive action to society and the state, to all working people. Without an assessment of this attitude responsibility loses its meaning and becomes pointless. In other words, it loses its social and state significance.

Responsibility is a complex, many-sided concept which has a philosophical, methodological character and is made more

concrete and specific in its individual forms. Usually this concept (as a manifestation of the connection and interdependence of the individual and society) means the onset of consequences, unfavourable for the subject (citizen, official, representative of authority), of his illegal acts. The concept is often interpreted as a person's social, moral and legal duty. As a rule, it is understood (in the broad sense) as social responsibility. It undoubtedly has a social significance.

Social responsibility and prevention

The concept of responsibility in connection with the relations that arise in the sphere of prevention is of socio-legal significance. Bearing in mind, however, that juridical (legal) responsibility is a component and variety of social responsibility, we can speak of "preventive responsibility" in the broad sense of the word as social responsibility.

The problem of responsibility in prevention can be seen in two aspects: firstly, as the responsibility of the subjects of prevention for the *failure to implement* preventive action, and, secondly, as the responsibility of the objects of prevention for *evasion* of this action. Observance of the law, respect for the law is binding on everyone: both the individual and the bodies involved in state administration, all officials without exception. However, the types of responsibility in these cases differ. They are similar only in that the responsibility of both subjects and objects of prevention is (in the broad sense) social. Therefore we can speak of the responsibility of all participants in preventive action.

Preventive action develops a responsible attitude in members of society to the performance of their social role. With its help control is exercised over the performance of duties that stem from this role, and also correction of the behaviour of those who do not perform it. This correction is carried out by the subjects of prevention by means of preventive action (in relation to the objects of prevention). Use is made here of the means and methods, inherent in preventive action, i.e., measures of persuasion and coercion. The thing is to encourage law-abiding and censure deviant behaviour. Here the precise differentiation regulated in detail by law of the responsibility of the subjects and objects of preventive action is perfectly logical. This action should be combined with the responsibility of *each person* who carries out prevention and of *each person* in relation

to whom it is carried out. The principle of the inevitabilty of responsibility is fully realised in this case. It runs through the whole process of preventive action.

Social responsibility includes many different types of responsibility: political, Party, moral (ethical), juridical (legal), material and several others. These and other types of responsibility are further broken down into administrative, disciplinary, criminal-law responsibility, etc. We also find such concepts as responsibility to the collective, the family, children and comrades. All these and other types of social responsibility are connected with one another. They are always the consequence of this or that action (or omission), misdemeanour, and sometimes statement (insult, slander, etc.). Legal responsibility is reinforced in legislation. Special attention has been paid recently to responsibility as a definite inner state of the individual, his attitude to a task entrusted to him, to society, the state, the collective, to his own behaviour, sense of self-discipline, consciousness. This responsibility follows from the actual socio-legal position (status) of a citizen and is called statutory responsibility. Hence the constitutional demand to increase the sense of responsibility of each citizen. However we are dealing not only with the responsibility of citizens, but also of officials and organisations. This is stated quite clearly in the preamble to the Constitution of the USSR. Consequently, responsibility relates to all those who are granted rights, have duties and possess "status".

The responsibility of subjects of prevention

Responsibility is usually examined in two aspects—the negative (retrospective) and the positive (perspective). The negative aspect of responsibility, i.e., responsibility for illegal actions already committed, has been elaborated relatively fully by science. The positive aspect of responsibility, i.e., responsibility for the proper performance by citizens, officials, bodies and organisations of their duties, functions and tasks, is not so well studied. This applies, in particular, to those who carry out preventive work, the subjects of preventive action.

This form of responsibility of the subjects of prevention, responsibility for violation by them of their duty, is by no means characteristic of legal responsibility alone. It is present in nearly all types of social responsibility. Responsibility of the subjects of prevention means the social (including moral and legal) negative consequences which these subjects experience as a result of their failure to perform properly the duties (functions, tasks) incumbent upon them by virtue of social norms, the moral code, or the law. This responsi

bility takes the form of censure, punishment or coercion in cases when the subjects of prevention have not performed their duties or have not performed them properly and have not justified the trust put in them. Thus, we should speak not only of legal responsibility, but also of responsibility in the socio-political, moral-legal senses. This is a most important question.

Every body and organisation, every official, every person who carries out prevention or directs a certain area of work bears personal responsibility for the work being carried out successfully, effectively. A proper understanding of this responsibility is extremely important in the political, social and juridical senses.

Responsibility of the objects of preventive action

Making use of the system of norms, rules, traditions and social habits that have developed historically, Soviet society places the individual in conditions where the various types of his individual activity are subject to definite social regulation, i.e., first and foremost, the normative regulation of individual behaviour. Each individual is responsible for his own behaviour. No misdemeanour, no violation of public order (socialist law and order) should go unpunished for the guilty person. This is connected in the first instance with the steadfast performance by the individual of his duties. A person's rights and duties express the objectively conditioned ratio between citizens' freedom and their responsibility to society and the state. The idea of the unity of rights and duties, freedom and responsibility of the individual is of fundamental importance for ensuring legality and law and order, for prevention of anti-social behaviour. It expresses the unity of interests of the citizen and the state, the individual and society. It is from this that social prevention proceeds. The object of its action is the person who clashes with society by violating order.

As the object of preventive action, the individual has the rights and duties of a Soviet citizen. However, in this capacity he possesses a somewhat different socio-legal status from other citizens. He acquires certain new duties and loses certain rights. This is the result of responsibility for anti-social behaviour. One of the new duties is to comply

with the demands made of persons in relation to whom preventive action is being carried out. A refusal to act accordingly results in the person being brought to account.

> In discussing persons who are the object of preventive action it is important to know that duties are a concrete form of expression of responsibility. As instructions concerning what is fit and proper, they constitute a list of demands made upon the individual and laid down in norms (social, moral and legal). This list expresses the minimum, not the maximum, for norms cannot cover all the content and forms of the manifestation of responsibility.

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The problems of the legal status of subjects and objects and their interrelations are very important for the proper functioning of the system of the prevention of offences. Their correct solution will assist the prevention of offences on the basis of strict observance of legality and implementation of the constitutional provisions and the principles laid down in the documents of the Communist Party and the Soviet Government.

CHAPTER XII

THE MAIN PROBLEMS OF THE ORGANISATION OF SOCIAL PREVENTION

1. SPECIAL FEATURES OF MANAGEMENT IN THE SPHERE OF SOCIAL PREVENTION OF OFFENCES

Organisation and management

All organisational activity is aimed at creating the optimum conditions for carrying out this or that work. The decisive link in all activity is organisation. In other words, organisation, the performance of organisational functions, are characteristic of all types (branches) of activity. What we have in mind here is always the organised way of activity. The essence of organisational questions is that each person should get on with his job, possessing the necessary rights and bearing full responsibility within these rights. This elementary rule is at the same time the fundamental principle of the theory and practice of management. Every science that deals in some way or other with management problems always examines organisational problems too. And the converse is true: in studying organisational problems we always examine management problems, also. To our mind management should not be regarded as part of organisation nor organisation as part of management. These concepts are closely interconnected although relatively independent.

The concept of organisation can be characterised most simply by the words "think before you act". Obviously this applies to any form of activity, including management. Therefore the concepts of organisation and management cannot be divorced from each other.

The foregoing also applies fully to crime prevention. Here, as in other spheres, management and organisation are or-

ganically connected and directly dependent upon each other. The closer the connection between them, the more effective their results. Organisation is one of the functions of management in the sphere of prevention. Management is the thread that runs through the whole process of the organisation of preventive activity. The organisational means (principles, methods) necessary for the carrying out of this process are concentrated in the system of corresponding management. Therefore questions of the organisation of preventive activity sometimes relate entirely to the sphere of management of preventive activity.

The conception of the organisation of prevention assumes that management runs through all the organisational activity, alongside the centralised planned guidance of this sphere of work. Organisation in this sense is characterised by the active influence of the management body in question on all aspects of preventive activity or on all the links in the system of prevention and the mechanism of its functioning. Nor should we overlook the measures carried out, firstly, on the level of the whole preventive complex (the top level of organisation), and, secondly, within the framework of individual prevention programmes. In general we can speak here of purposive organisational activity. And such (purposive) activity is divided into *strategy*—the defining of ultimate aims and the best ways of achieving them, and *tactics*—the posing of intermediate, individual tasks and the choice of concrete ways and means of accomplishing them. Strategy and tactics are inherent not only in organisation but also in management in the sphere of the social prevention of anti-social behaviour.

The concepts of the strategy and tactics of organisation (management) are inseparable. By strategy we usually mean a plan of action aimed at the most effective achievement of the general aim by a correct choice of main trends and by concentrating the decisive forces and means on them. From this definition we obtain the so-called vector nature of strategy. The main vector characteristics are the single-mindedness and purposefulness of strategy. These qualities do not conflict, of course, but rather complement each other. Purposefulness expresses the active nature of strategy, and single-mindedness determines the steady planned advance towards a general goal, the consistent carrying out of the strategic design, the retention of a correct orientation under any circumstances. Tactics are means and methods of action used to achieve the goals set. For tactics it is important to be able to determine the main thing that is characteristic of each

given period, to see the link one has to "grasp" to pull out the whole chain of strategy, to formulate clearly the central task of a period and to concentrate all forces on carrying it out. Thus, strategy is the elaboration and implementation of a general line at a given historical stage, the choice of the main future (long-term) trend of organisational activity for the achievement of set aims, while tactics determine the plan of organisational activity over a short (short-term) period. They concretise strategy, as it were, at each concrete stage. The elaboration of the strategy and tactics of the prevention of offences is inseparably linked with the corresponding management.

What management is and why it is necessary

Under socialism to manage does not mean to suppress, to oversee, to command. Under socialism management of people is the rational organisation of their work, their economic, socio-political and cultural life, and their education in the spirit of communist ideals, observance of the norms of socialist law and communists morality. Management is necessary to ensure coordination between individual jobs, to organise joint labour, to maintain the conditions of the existence and development of society. It is conscious action on the objects of management, although not all such action (organisation and regulation) is scientific management. Only conscious, purposive action taken on the basis of authentic information about the object of action and the conditions of its functioning corresponds to the real possibilities and is scientific management. The development of the science of management has led inevitably to this interpretation of the essence of management. Scientific management has today become a powerful means for improving organisation. The objective principles of the need for such management have been engendered by the whole course of social development. Management itself is characterised as the most important factor of this development.

Management and problems of crime control

Society and the state are interested in the universal introduction of scientific principles of social management. And management in the sphere of crime control is an integral element of social management. It is also therefore caused by public and state needs. Management is an inherent feature of society at all stages of its development. This feature

is universal and stems from the systemic nature of society. Crime, as already mentioned, cannot be considered outside the system of social development; it is part of the social system. Therefore we must assume that managerial relations develop in all spheres of social life without exception (but differently), which is expressed first and foremost in the different order of the formation of controlling and controlled systems, the different forms and methods of management action, the different nature of the subjects and objects of management, etc. Controlling crime as a relatively independent subsystem involves the need for social development. In this respect crime is no different from other subsystems or spheres of social life and activity. Its specific nature is determined by the special need of the state and society to eliminate crime, to eliminate its causes and conditions. Crime control is aimed at meeting these needs. Management of crime control differs from management of positive processes in that it is aimed at reducing the intensity of and, in the final analysis, eliminating phenomena connected with anti-social, criminal behaviour. However, in order to make this position more precise and concrete, we should add that the specific nature (peculiarities) of management in the sphere of crime control manifest itself most clearly in interconnection with the subjects and objects of this type of management, in the actual activity (management) of these subjects. We must also assume that each subsystem of management has in its general structure its own specific aims and tasks. Thus, crime, as an element of social life, can be represented as an object of controlling action. It is in this sense that we speak of management of the processes of crime control.

The concept "management" (control, direction) is used wherever it is necessary to express a certain action on an object (system) for the purpose of its stability (organisation) or the transfer of the system from one state into another. In this connection the concept is used to characterise controlling (organising) action under different forms of social life. In socialist society all phenomena and processes are controllable in principle. This is certainly true of the sphere of crime also. If processes are capable of being understood, they are also capable of being controlled. In denying the possibility of directing the processes of crime control, we inevitably also deny the possibility of understanding crime as a phenomenon. It is necessary that this direction or management itself should assume an objective, scientific nature, that it should be based on a set of scientific methods and reflect the interests not

only of the present, but also of the future. Elaboration of the problems of directing the processes of crime control cannot be the concern of scientists alone. It is also an important duty of all leading practical workers. This idea was stressed by Lenin when he was discussing management: "In order to manage, one must know the job..." One cannot manage "without being competent ... without knowledge of the science of management".[1] Of course, we must not say that no one did any management in the sphere of crime control in the past. Although the term "management" was not used in the same degree or extent that it is today, this does not mean that management did not exist. It did exist. However there was no base to ensure that this management was put on the rails of scientific management. Today such a base exists, and we can now speak of scientific management or direction in the sphere of crime control.

Management in the sphere of prevention

The concept "management of the processes of crime control" is a broad one. It includes management of preventive activity (management in the sphere of the prevention of offences). The management is not only possible, but essential. If we see society as a single complex and self-organising system, the social prevention of anti-social behaviour must be regarded as one of its "control blocs". It is included in the general regulatory complex of social behaviour, and in this complex prevention carries out its control function by specific means. Prevention can be seen as management activity, as an important element of social management, as the process of taking managerial decisions aimed at solving the contradictions between the individual and society, at eliminating conflict situations, and, in the final analysis, at not permitting (preventing) the various forms of deviant behaviour, including anti-social and criminal behaviour. In other words, this activity is a scientifically controllable process of overcoming phenomena which are causally connected with violations of social norms, the norms of morality and law (criminal law included). Preventive action is organised, essentially, within the framework of the whole system of social management. But this does not prevent such action from being carried out (mainly) within its "own" framework of management—in the preventive sphere of so-

[1] V. I. Lenin, "Speech at a Meeting of the Communist Group in the All-Russia Central Council of the Trade Unions. March 15, 1920", *Collected Works*, Vol. 36, 1966, p. 521.

ciety. Naturally, this sphere cannot and should not be excluded from the sphere of scientific social management. It stands out as having its own specific features.

> Thus the preventive sphere in socialist society inevitably presupposes scientific management, as does any other sphere of social life. And this means that preventive action really does appear as a management process, including such basic stages (principles, functions and methods) of management as information retrieval, processing and analysis, forecasting and planning, interaction and coordination, decision-making, the organisation and implementation of management decisions, supervision, etc. This action (as a management process) presupposes a scientific understanding of the contradictions of social development connected in one way or other with deviant behaviour. It is on the basis of such an understanding that preventive action becomes controlling and scientific.

Management (control) in the sphere of prevention, as in any other sphere, should be truly scientific. One should not rest on one's laurels here. Life marches on, producing more and more new questions that require new forms, methods and means of management. Here a special scientific search is essential. For the fate of all management depends on our choice, which may be unscientific, or may be scientific. Recommendations that are in keeping with scientific requirements are necessary. The main task is to embody the achievements of the science of management in preventive activity. This task can be solved successfully by the representatives of the relevant branches of knowledge.

> Scientific management cannot tolerate subjectivism in constructing management mechanisms. Objective reality is always richer than the most "perfect" subjectivist construction of management mechanisms. Scientific management is conscious management carried on in accordance with the requirements of the objective laws, progressive tendencies that ensure the society's ascent from one stage to another, higher one. To manage society scientifically is to cognise, to reveal the laws of social development, to discover the progressive tendencies and to direct (organise, plan, regulate and control) the advance of society in accordance with these tendencies. To manage society scientifically means to discover the contradictions of social development and resolve them in good time, to reveal and overcome obstacles on the path of this development. To manage society scientifically means to ensure the preservation and development of the structural and functional unity of the system, the ability of the latter to assimilate or neutralise negative action both inside and outside the system. To manage society scientifically means to pursue a correct, realistic policy based on strict consideration of the objective possibilities

and the balance of social forces and inseparably linked with the economic and cultural development of society. Scientific management of social processes under socialism presupposes the formation of managers with a broad political outlook, a keen interest in general problems, the ability to relate the development of their own professional sphere to the development of the whole social organism and take into account the social and educational consequences of their decisions. This requires an increase in the scientific training of managers, their philosophical and methodological training. These propositions are also fully applicable to management in the sphere of prevention. However, we should proceed from the fact that such management is a part of the management of society, of state administration. For the main thing in management of the sphere of prevention is the strengthening and development of socialist social relations, and law and order.

Preventive action on the relevant processes is conscious action. However not all conscious action is scientific management. Therefore we must distinguish clearly between management in the sphere of prevention and preventive action in general. Otherwise all preventive measures will be connected with management alone. But management is always done within a certain framework. Hence its special principles, functions and methods, and specific features in general. Managing preventive action is quite another matter. It differs fundamentally from so-called non-controlling action. Basically management in the sphere of prevention is analogous to management in any other social sphere. At the same time it differs very obviously from other types of social management. It is a sphere of preventive management that forms part of the management system of the processes of crime control.

The subjects and objects of management

There are three "dimensions" of the specific nature of management in the sphere of prevention: they are the subject of this management, the object of the management and the relations between them. The subject is the active aspect of the interaction "object-subject". The object is that which stands opposite the subject. The mechanism of the connections of the subject and object of management in the sphere of prevention is characterised, first and foremost, by the management relations that develop between them. The special features of these relations, like their nature, are

determined by the fact that they are preventive. This is why we speak of a special trend in the management of the social prevention of anti-social behaviour, and more widely in the sphere of crime control.

The main objects of management in the sphere of prevention are crime and its causes and conditions (as social phenomena). Controlling action on all other (concretised) objects is carried out with one aim only: to eradicate crime, to neutralise or eliminate its causes and conditions. However, bearing in mind the management of preventive activity itself, the hierarchy of objects of this management can be represented as follows: the management of the central (USSR level) bodies and organisations that carry on (organise for the most part) the prevention of offences is the *high-level* object; these bodies and organisations in their turn manage the republican, territorial and regional bodies and organisations that carry out prevention—the *middle-level* object; and completing, as it were, this cycle of management, the republican, territorial and regional bodies and organisations, manage the subdivisions that directly carry on preventive work—the *low-level* object. Strict observance of this order in management organisation is not always compulsory (in a number of cases it is obviously not possible either). The direct action of "high-level" bodies on a "low-level" object is also permissible, of course. But in the final analysis the whole above-mentioned system (scheme) of management boils down to management of the processes of crime control. Crime is, as it were, the ultimate object of the management under discussion.

Management in the sphere of prevention is *multi-level.* The conception of such management rightly points to the need to delimit management itself and direct preventive activity. Management is carried out, in other words, directly (by influencing the object) or through representative bodies (by managing them to make them act on the object). In general, management in the sphere of prevention is carried out by a corresponding system of bodies, organisations and institutions. To our mind, it would be correct to divide this system into three main sections: bodies and organisations that carry out the prevention of offences directly (they are seen only as the object of management); bodies and organisations that carry out prevention and at the same time perform management functions in relation

to other bodies (they act simultaneously as object and subject of management); and bodies and organisations that largely manage the processes of the crime control in general (they are seen mainly as subjects of management, and to a certain extent as objects of management on the part of higher state bodies). All these subjects of management work under the leadership of the CPSU and the Soviet Government to fulfil the tasks set in the sphere of crime control.

The main, most important task of subjects of management in the sphere of prevention is to ensure the efficient functioning of the developing (improving) system of bodies and organisations that carry on the work of crime prevention and control. The performance of this task ensures an active controlling influence on crime, its causes and conditions.

Management of the processes of crime control presupposes: defining the aims of management, elaborating and taking appropriate management decisions; elaborating a system of measures to ensure the achievement of the set aims (including measures to coordinate the actions of bodies and organisations that carry on the prevention of offences); supervision of the implementation of management decisions and measures; checking the implementation of decisions, correcting assignments under changed conditions; regulating the processes of crime control, preventing and eliminating deviations from the correct path; analysis of management problems, detection of new needs of the controlling system and of unutilised reserves, the study and introduction of progressive experience; forecasting, and the drafting of new short- and long-term decisions, and planning, mainly comprehensive planning. The task of management in the sphere of crime control is to ensure a state of crime as a system (object) that promotes the realisation of objectively determined aims. As a complex, dynamic system, crime changes under the influence of management. In other words, at any moment of its existence crime as a system is changing not only in accordance with its own specific laws, but also as a result of the controlling action exerted on it. The fact is that management in the sphere of crime control is largely determined as the action of one (controlling) system on another (controlled) with the aim of changing its state in accordance with a previously agreed programme or the concrete tasks of the management in question.

The main principles and functions of management

These are essentially common to all types of social management. Therefore, in speaking of principles of management in the sphere of prevention, we must, first and foremost, mention the following principles: democratic centralism; Party commitment; a scientific, objective and concrete character; the main link; a systemic and comprehensive nature; unity; the territorial-branch principle; effectiveness; and material incentives. The functions of the management in question include: formulating aims; analysis and forecasting; planning; decision-making and administration supervising; control over implementation of aims and decisions; and the educative function. There are, of course, many other principles and functions, but these are the main ones.

We must draw attention to a short description of the principles of management. The principle of democratic centralism enables us to combine the planned centralised element in management with broad democracy, the use of the initiative of the people and of front-ranking work collectives. It is of great importance for the solution of structural-functional problems of management which include: determining the structure of the managerial apparatus, and allocating functions between the different subdivisions and services, between management officials, between leaders and subordinates, between central and local bodies, between the various departments, and between the government and the Party apparatus. The principle of democratic centralism determines other, afore-mentioned principles which, naturally, play an important role in management. All these principles are closely connected with the functions of management.

The main requirements made on the work of the managerial apparatus are: communist commitment, competence, efficiency, combination of the scientific and administrative aspects, good organisation, and a few others. In pointing out these requirements it should be added that they apply to all spheres of management. Consequently these requirements also apply to management in the sphere of prevention, of crime control as a whole. However, the demands made on the management of preventive activity are growing. The main thing is that certain questions concern-

ing this management extend beyond the powers of only the specific bodies that control crime. Not only a departmental, but also a broader social approach to the solution of the problems of managing the processes of crime control is essential.

The question of the role of law in management is connected with the problem of the relationship between the spheres of management and the spheres of legal regulation. Law is always used with the aim of efficient management. Moreover, law regulates the whole process of management (i.e., defining the status of objects and subjects of management). This applies fully to management in the sphere of prevention too. An underestimation of the juridical aspects of this management has a negative effect on its level and leads to the appearance of elements of disorganisation and irresponsibility. It is important to take account of the objective need to establish (or, on the contrary, abolish) this or that legal norm of importance to management.

The process of management in the sphere of prevention is, fundamentally, a normatively regulated one. This quality appears in the legislative definition of the status, functions, competence, etc. of the bodies concerned with this management. To a certain extent legal norms determine the status of not only the subjects but also the objects of management in the sphere of prevention. Specifically, law acts as a means of regulating the most important stage of the management cycle—decision-making, thus acquiring the capacity of an instrument of management. Normative regulation is characteristic of all stages of management in the sphere of prevention. The process of legal action may be seen here as an individual case of controlling action.

Interaction, coordination and supervision

Management in the sphere of prevention is effected by a system of state and public organisations. Their purposive activity depends largely, as already mentioned, on a clear definition of their functions, rights, and mutual relations, on the coordinated solution of general problems. Consequently, the coordination and interaction of the work of these organisations is essential. Supervision plays its special role in this.

Coordination is extending further and further, covering

all the aspects of the prevention of deviant behaviour and crime control. Therefore management in the sphere of prevention should, in the final analysis, be carried out as a process of interaction in the work of the various state bodies and public organisations that have their own independent tasks. Coordination promotes the better use of the resources and funds of state bodies and public organisations, eliminates duplication in their work and prevents departmental interests being put before state interests. It is important to note that only the functions common to these bodies and organisations are coordinated, for example, the function of prevention. All these bodies and organisations have precisely defined powers, but their aim is the same—to strengthen socialist legality and law and order, to control crime and eliminate its causes and conditions and, finally, to prevent anti-social behaviour. It is this common aim which determines the need to coordinate the efforts of the above-mentioned bodies and organisations. Without this coordination purposive and decisive action on anti-social acts is inconceivable. This creates the prerequisites for comprehensive management of the processes of crime control.

The need to coordinate preventive activity is explained, first and foremost, by the inseparable link of this activity with other trends of moral and legal educative action on members of society. The prevention of anti-social behaviour interacts particularly actively with legal education. Hence the objective need to coordinate different, but organically interconnected trends in the social prevention of crime. This by no means excludes the unique, specific nature and relative independence of each of these trends.

We can speak of two main types of coordination: comprehensive-territorial (horizontal) and departmental-branch (vertical). The former is the joint elaboration and coordination of all preventive measures on the level of the country, republic, territory, region, town and district. The latter is the concern of one agency only. We are referring to coordination of preventive activity within this or that department (for example, the agencies of the Ministry of the Interior). Fairly often this sort of coordination is carried out within the limits of a group (set) of departments with "closely-related" powers. In other words, the vertical coordination relates, firstly, to the preventive activity of subdivisions

within a department (this is "internal" coordination), and, secondly, to such activity by two or more departments which deal jointly with the tasks of prevention (the activity of, say, bodies of the Procurator's Office, the Ministry of the Interior, justice and the people's courts).

The main aim of coordination is to ensure the balanced development of preventive activity, to strengthen crime control by concerted action. Precise definition of the aim of coordination makes it possible to act more purposively. The aims of both the horizontal and the vertical coordination of preventive activity may be achieved only when coordination is not only concerted action dependent on the coincidence of particular interests, but is real preventive action which stems from the highest state interest. The intermediate aim of coordination, however, may be the solution of particular questions in the interests of a region or department.

Preventive activity may be coordinated most successfully when certain organisational principles are observed. These include: Party guidance of coordinative activity as a part of the management of the processes of crime control; coordination of action in the attainment of the aims and tasks of controlling offences that are common to everyone involved in this work; initiative of each body in raising questions for joint discussion and solution; equality of all participants in the discussion of proposals and drafting of recommendations; independence of each body in the implementation of decisions taken; non-interference of bodies in the exclusive powers of other bodies; and strict observance of legality in the carrying out of coordinated measures. The organisation of coordinative activity on the basis of these principles makes it possible to raise the effectiveness of the prevention of offences.

Interaction. Generally speaking, this is closely connected with the concept "communication". A number of typical varieties of social interaction may be distinguished by the nature of the objective and subjective relation of the subjects: overall, cooperative activity, occasional collaboration, mutual informing, indirect interconnection, etc. An essential condition of interaction is the objective interdependence of the participants: if the behaviour of one of them promotes the achievement of the aims set by another, the latter cooperates with the former; if, however, as a result of the

actions of the partner these aims become more difficult to achieve, the partners clash, consciously or unconsciously. If two or more participants in the interaction strive for one and the same aim, this may give rise to collaboration and mutual assistance. These general rules apply to different types of interaction. They also extend to the sphere of the social prevention of offences. The specific element is connected here with the special features of preventive activity. In the organisation (management) of this activity interaction is essential. For it does not arise spontaneously, but as a result of organisation. This explains why it is a managerial (organisational) principle.

The organisation of the interaction of preventive activity carried out by the various bodies and organisations is a fact in the Soviet Union. This organisation is dictated by the need for the bodies and organisations in question to carry out the functions of the social prevention of anti-social behaviour. The contacts that arise between bodies and organisations in the process of interaction of preventive activity are many and varied. They depend on the nature of the state body and the profile of the public organisation. The bodies and organisations with general jurisdiction deal in the main with a broad range of subjects. The branch bodies and organisations have contacts with a smaller number of subjects, mostly with special organisations. Hence the multiplicity and variety of the forms of interaction.

The organisation of interaction plays a large part in promoting the cohesion of the bodies and organisations that carry out prevention. This helps reduce tension, achieve mutual understanding, strengthen trust and ensure unity of action. Interaction promotes an exchange of activity, experience, ability and skills, and also the results of preventive activity. Interaction plays the role of "intermediary" for all forms of interconnection between bodies and organisations carrying on preventive work. It helps to achieve cohesion and solidarity, common attitudes, views, positions, etc. Various forms of self-control arise in the process. In such cases interaction becomes a means of increasing the effectiveness of preventive activity.

Supervision. Management in the sphere of prevention is impossible without supervision. It is one of the forms of leadership and management. The proper setting up of supervi-

sion is a most important part of organisational work. Supervision is carried out by all bodies and organisations in relation to the institutions under their jurisdiction. Properly organised supervision helps to eliminate the narrow departmental approach to prevention and remove the shortcomings of such management.

Provision of information in the management of preventive activity

The organisation of this management is based on an analysis of the relevant information. Karl Marx wrote: "...Analysis is the necessary prerequisite of genetical presentation, and of the understanding of the real, formative process in its different phases."[1] Lenin drew attention to the great scientific service rendered by Marx who posed and solved questions of social development with the help of profound analysis, like a natural scientist.

All organisational activity can be successful only with the help of analysis based on qualitative information. Consequently, analysis and information are the basis of scientific management. People make use of information for expedient action on society, in other words, in the management of society which is the highest type of management. No type of information is processed so profoundly and comprehensively and used in such varied forms as social information. This information is used by people in various activity, including management activity. The management of preventive activity is no exception here. It too needs reliable information.

> The main principles of organising the provision of information are determined by the requirements of the science of management and the specific nature of this or that type of activity. By information in the system of management we mean that section of information which is used in the process of management itself. We have in mind information as a measure of the organisation of ordering the system of management (control). Thus, information is a necessary attribute of the management process. Without information there is no management. All management proceeds from information for the choice of management action, and management action itself is formed on the basis of information contained in management commands. Informational processes run through the

[1] Karl Marx, *Theories of Surplus-Value*, Part III, Progress Publishers, Moscow, 1975, p. 500.

whole of managerial activity, including the drawing up of decision (programmes, directives, laws, plans), organisation of the implementation of these decisions, supervision, etc. This applies to all management. However, it must be borne in mind that at different levels of management there should be not only different types of information, but also information of the same type in different forms. A great deal also depends on the types (trends) of management. For example, special information is necessary for the management of preventive activity.

The usual definition of information is communication, i.e., the sum total of data on the state of an object. Information is always received, studied, then assessed and, finally, put to use. There are different types of information; social, political, economic, legal, technical, natural, etc. The highest, most complex and diverse type of information is social information, insofar as social phenomena and processes are she highest form of the motion of matter. Social information, which reflects the diverse aspects of human activity, can be divided into a number of types. If we accept that social information is an aspect and a result of the reflection by society both of the social form of the motion of matter and of all its other forms insofar as they are used by society, drawn into the orbit of social life, we can distinguish information concerning the individual spheres of social life, including preventive information.

The function of information in the sphere of management of preventive activity consists, first and foremost, in the selection and selective use of information on new and valuable data of preventive significance. The fullness of such information is particularly important. In this sphere it has a specific form which is determined by both the distinctive features of preventive activity and the mutual connection of the prevention of offences with other trends in the prevention of deviant behaviour. The management of preventive activity makes use of information on the various levels of social relations that develop in this sphere and social information of varying degrees of generalisation. This information, used in management, is the sum total of information on the deviant behaviour of members of society. It serves as the initial and basic information for drawing up corresponding managerial decisions. The task is to ensure that management bodies possess all the necessary information on the essence and laws of the phenomena and processes that are the object of management.

Initial preventive information is contained in various forms of statistics, in documents, memoranda, reports, etc. An important source of this information is sociological studies. Preventive information is usually divided into the following sections: offences; persons leading an anti-social way of life; the causes and conditions of offences (deviant behaviour in general); persons in relation to whom prevention is already being carried out (who are on the preventive register); and preventive work and its results. Advance (prognostic) information, which corresponds to planning information (essential for planning and already contained in plans), is particularly important for management. The retrieval, systematisation and processing, analysis and use of information necessary for the management of preventive activity must be ensured organisationally.

> One of the most urgent questions here is to establish the limits of preventive information, to decide what information is necessary in order to manage preventive activity effectively. Obviously information should be considered primarily from the point of view of its value. Moreover, information should have a political character, i.e., it should reveal and help to determine the policy of crime control. Only then can we speak of preventive information as an instrument for acting upon negative social phenomena and processes, as an effective means of determining the line (trend) of preventive activity. Linked with this are problems of the Party commitment of preventive information, which means above all its objectivity and active nature. This information is a serious mobilising factor which raises the level of preventive work. And, of course, such information should have a preventive significance.

The problem of providing information for preventive activity is connected with legal regulation. It accompanies the whole management process.. The content of the legal norms relating to this sphere provides the initial material which is necessary in all the elements and stages of management. It is in this connection that law becomes the vehicle of decisions and information. These qualities of law are of fundamental importance. They determine the role of law as the main method of optimising management and the provision of information for it.

The information necessary for the management of prevention activity is intended (as it must be) for concrete bodies and organisations. This helps to ensure its swift movement. In this connection express information is of special significance. For it enables us to take operative managerial de-

cisions. The practical sphere requires such information daily. Express information is, as a rule, specialised information. Its receivers are the bodies and organisations that carry out prevention directly. It makes the management of preventive activity flexible and effective.

It should be noted that the practical sphere still has insufficient information for proper regulation of preventive activity. Paradoxically this shortage of information arose during an "information boom" which was externally dispersed and not fully absorbed by the subjects of the organisation of preventive activity. It is not just a matter of quantitative indices. There is also a qualitative shortage. For in a sense a lack of information always accompanies the management of preventive activity because no information can be richer than reality. Thus, it is a matter also of the skilled organisation of management.

The provision of information for crime prevention should be constructed in relation to its organisational elements. Then not all information will be used, but only management information. This is essential for purposive activity concerning management of the numerous processes of prevention. It is expedient that the information should not be confidential. Supervision of preventive activity requires a clear picture of the whole sphere dealt with by prevention. Open information will help us to see the whole spectrum of preventive problems.

2. COMPREHENSIVE PLANNING IN THE SPHERE OF SOCIAL PREVENTION OF OFFENCES

The place of planning in the system of management

Planning is the core, the essence, of scientific management. It cannot be seen in isolation from managerial activity. Planning is part of the actual mechanism of management. It is a form of managerial decision. In management planning performs several roles. It acts as an element, as a principle, as a function, and as a method of management. As a rule, managerial decision in the narrow sense, is expressed in a plan and realised through a plan. Taken in the broad sense, however, managerial decision covers planning as well. Then

planning acts as a type of managerial decision. Of course, planning and managerial decision do not exclude or replace each other. They are dialectically interconnected. But planning is frequently seen also as a category that is independent of management. Management planning, i.e., the planning of organisational activity, acquires a special importance here. However, as we know, management is not limited to the carrying out of plans. Correct definition of the concept of planning (and of the plan), its place and role in the system of scientific management, depends largely not only on analysis of the relationship between planning and management, but also on a study of the essence of planning itself. The latter, in its turn, is connected with a study of the concept "plan". Each of these concepts has its own features.

Planning is a continuous process, and a plan the result of this process. A plan outlines the final result of this or that activity, the period of implementation, the scope of work, sources of financing, implementers, etc. It is a directive, the basic document for the management and organisation of the work in question. The plan becomes a directive after it has been approved by a competent body or official. The directive nature of plans is seen in the fact that they are binding. After it is approved a plan acquires the force of a law. When a plan has been approved and acquired the force of a law, all that remains is the duty to put it into effect, and to do so with the minimum of delay and the best indices.

The Constitution of the USSR enshrines socialist planning as the most important function of state administration. The plan is now the main instrument of realising Party policy. This applies to all spheres of social relations. The sphere of prevention of offences is no exception.

Planning in the sphere of prevention

This is one of the types of regulating social relations in the sphere of crime control. This planning is sometimes called criminological, but in recent times it has also been called preventive. The direction of planning in the sphere of the prevention of offences is characterised, first and foremost, by regulation of social relations with the aim of preventing anti-social behaviour. Its general task is to reduce offences and eventually eliminate them entirely. This concerns va-

rious types of planning in the sphere in question, particularly comprehensive planning.

Comprehensive planning in the sphere of prevention is currently the most widespread type of planning. It is carried out on different scales (over the whole country, the republic, the territory, the region, the town and the district), and also within the limits of a number of branches (ministries, departments), for example, within the framework of law-enforcement bodies. At different levels of comprehensive planning its content changes depending on the range and nature of the tasks being solved. On the level (the scale) of the country as a whole, the Union ministries and departments. planning ensures the solution of general, strategic tasks, on the level of republics, territories, regions, towns and districts, within the framework of regional institutions, it ensures the solution of more concrete tasks up to and including the working out of forms of operative (comprehensive) action on corresponding objects. The established system of comprehensive planning of preventive work thus includes not only the territorial (regional) approach, but also the branch approach. At earlier stages in the development of preventive activity both branch plans (of ministries and departments) and regional plans (of republics, regions, towns) ensured the solution of local tasks in this sphere of social relations. At the same time because of the overall development of this activity the need arose for comprehensive planning. This was also conditioned by the increase in the proportion of preventive problems of an interbranch nature, the solution of which extends beyond the powers of a single ministry and the borders of existing territorial units. We would note here that the comprehensive planning of preventive work is still only in the early stages. There are still unsolved problems, shortcomings and difficulties. Thanks to the efforts of theoretical and practical workers the methodology and techniques of this planning are being improved.

> Theory and practice now possess certain methods of the comprehensive planning of the prevention of offences. In practice several main types of comprehensive plans are developing and being used. Some plans are approved at sessions of Soviets of People's Deputies. The most important of these are the comprehensive social plans for the prevention of offences. However the possibilities of such planning are not yet being fully realised everywhere. There are a number of serious shortcomings in comprehensive planning. At present theoretical and practical workers

are searching for ways of improving plans aimed at the implementation of preventive tasks. To our mind no science that is engaged in studying the problems of deviant behaviour can fail to concern itself with the improvement of comprehensive planning.

With regard to the need for the comprehensive approach to the solution of the problems of prevention, we must bear in mind the important point that it is a means not only of their theoretical, but also of their practical solution. Therefore both theoreticians and practical workers must make consistent use of the method of comprehensive organisation of prevention. The realisation of this method presupposes the development of forms of organisational provision of preventive activity.

A comprehensive target programme for the organisation of preventive activity is a set (system) of economic, ideological, psychological, legal and other measures. It is assumed that the aim will be achieved at a certain quantitative and qualitative level and over a certain period given the comprehensive approach. We are talking of comprehensive management. This is a type of management in which all the factors in any way connected with preventive activity are taken into account, and day-to-day preventive work is coordinated with the long-term tasks of crime control. So it is necessary to ensure comprehensive political, economic, social and legal management of preventive activity.

Today, to our mind, we can distinguish the following elements of such an approach: firstly, ensuring of the development of preventive activity on the basis of strict observance of the socialist principles of its organisation; secondly, strengthening of the unity of preventive actions of all the interested bodies and organisations; thirdly, precise definition of the main trends of preventive activity on the basis of Party policy, taking account of the special features of this activity carried out by the various bodies and organisations and the public; fourthly, development of forms and methods of prevention that ensure the comprehensive accomplishment of tasks and the achievement of the best final results; fifthly, coordination and interaction of bodies and organisations taking part in preventive activity; sixthly, ensuring of the ideological-political aspect of prevention, the constant development of its democratic principles. Comprehensive plans of prevention should become an integral part of the state plan with all the ensuing consequences.

Comprehensiveness is a broad, multi-levelled concept. It implies the dialectical interaction of the system of social relations, political and ideological factors, conditions of everyday life, i.e., everything that surrounds a person and acts on his consciousness. It is a basic principle of theoretical thinking and practical activity. The present posing of the question of the comprehensive systems approach to the management of society as a whole, its individual social links and spheres of activity, is conditioned, first and foremost, by the arrival of socialism at the stage of maturity, by the tasks confronting the Soviet Union at the present stage of communist construction. The idea of comprehensiveness is being intensively and fruitfully elaborated by all the social sciences and actively introduced into the practice of social management. However, the comprehensive approach is frequently identified with the systems approach. This is wrong. The systems approach and the comprehensive approach, although interconnected, are not the same. Therefore they should not be confused. They do not coincide on a number of points. Of their differences we can say simply: thanks to the comprehensive approach we find out what to look for, where and why to look for it, and thanks to the systems approach, how to look for it. But the connection between these approaches is rather close nevertheless. This should not be overlooked in the process of comprehensive planning. It is no accident that this planning contains a great deal of systems analysis. It is sometimes referred to conventionally as comprehensive systems planning.

The comprehensive approach presupposes the creation of an integral system in the organisation of preventive work, a joining of the efforts of different bodies, the coordination of their preventive activity. With its help the most effective forms and methods of prevention are carefully selected, the order of their application determined, and the unity of the process of preventive activity and the management of this activity ensured. This approach makes it possible to take into account a set of varied questions—organisational, legal, educational-ideological, etc. The comprehensive approach makes it possible to see in preventive activity the intertwining of various types of work, i.e., to see prevention comprehensively. This is the so-called systems view of the object. It is here that the close connection of the systems and comprehensive approaches is in evidence. Hence also the concept "comprehensive nature of the system of prevention". The comprehensive approach is used in prevention when a positive result cannot be obtained by relying on anyone of the existing trends in this sphere. The work aimed at improving prevention planning should be based on a systems, comprehensive approach that makes it possible to combine all the problems of prevention, to coordinate the interaction of all units of the management of preventive activity.

A comprehensive prevention plan is a system of rules for the carrying out of economic, cultural, ideological and organisational-legal measures aimed at preventing and eliminating offences, rules that are binding for all Party,

government, economic and law-enforcement bodies and public organizations. The purpose of comprehensive prevention plan is to ensure an all-out offensive on crime. Such a plan is a system of measures aimed at creating the conditions for the optimal functioning and development of society. Therefore its sphere of influence is social relations.

The object of comprehensive planning is social relations, which are multi-tiered. The first, broadest aspect of relations covers the whole system of social relations connected with preventive activity: economic, socio-political, cultural and legal. At the same time theoretical and practical needs and, above all, the needs of scientific management in this sphere dictate the need to single out social relations in the narrow sense as a specific type of relations—preventive relations. We must also distinguish different types and levels of relations. It is a question of finding the specific features of each range of social relations. This classification facilitates the task of comprehensive planning. It enables us to establish correctly the means and methods of planned regulation of different sets of relations. The main ones are social relations: in the sphere of labour and labour (production) discipline; in the sphere of everyday life and family relations; in the sphere of leisure; in the sphere of social activity. It is also permissible, of course, to talk of the sphere of ensuring legality and law-enforcement. We could mention many other sets of relations. But this is not the main point. Their classification may be extremely varied. What needs to be stressed is simply that in comprehensive plans of prevention the activity of the various bodies and organisations can be carried out in corresponding spheres of social relations. Then the sphere of influence, the functional rights and duties of the various bodies are allocated in a completely concrete way. We cannot accept the view that insofar as social relations in any given sphere are of an objective nature, they cannot be influenced. All social relations are the object of regulation and, consequently, also the object of influence and even of active influence.

An organic part of the system of social relations is relations that develop in the sphere of keeping public order. The concretised object of comprehensive planning of prevention is, thus, the keeping of public order. Here it should be a question of planned preventive activity aimed at achieving certain goals and accomplishing certain tasks.

The comprehensive planning of prevention makes it possible to detect social needs more deeply (from the point of view of the protection of social values) and, correspondingly, also the range of social problems requiring special regulation. Here (if the plan takes account of the special nature of different sets of relations) state and departmental interests can be coordinated more fully and opportunely. True, in the process of the comprehensive planning of prevention another type of relation arises: relations connected with the drafting of the plan and the realisation of an approved plan, and supervision of its implementation. These groups of social relations are interconnected. They are distinguished from other relations by the fact that they have been cemented together by the act of passing the comprehensive plan. They play a dual role: firstly, they promote the uniting of efforts of the subjects carrying out the plan and the subjects supervising its implementation; secondly, they bring the planned work to the level of state and public activity, the interests of those who supervise the preventive work and the interests of those who carry it out coincide. A comprehensive plan of prevention acquires state significance.

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Today raising the efficiency of preventive work is of special importance. The problem of effectiveness in preventive activity is very complex, particularly if we have in mind not only the quantitative, but also the qualitative aspects of the successes achieved. This is in no way to belittle, of course, the real successes, but these must also not be overestimated. It must be acknowledged that the tasks of strengthening law and order are so far not being solved effectively enough. And raising the effectiveness of prevention means applying the comprehensive approach skilfully in practice, it means improving the organisation of prevention, mastering the Leninist style of work and management. Effectiveness is an assessment category. It reveals the degree to which action corresponds to the aims set. Definition of the clear aims of prevention and the tasks that derive from it is, therefore, of major importance. The assessment of effectiveness means not only defining aims, but also establishing the consequences of preventive work, analysing its results. The end result—that is the main thing to be taken into account in determining the effectiveness of preventive activity.

Professor Gennady Avanesov, Doctor of Law, is a leading Soviet criminologist. He has written more than 120 scientific works on problems of jurisprudence and sociology. The present volume is a recent work that makes a profound and comprehensive study of criminology and the prevention of anti-social behaviour. It is a valuable contribution to the development of criminological theory. It gives a detailed survey of the development of Soviet criminology, analyses its present state, and examines the prospects for the development of this branch of knowledge.

